

THE
LIFE AND SPEECHES
OF
DANIEL O'CONNELL, M.P.

EDITED BY HIS SON,
JOHN O'CONNELL, M.P.
KILKENNY CITY,

A LIFE AND A LIFE FOR IRELAND " REFUTAL DICTIONARY " ETC

Here sit my bondsmen, know ye not,
Who would be free, themselves must strike the blow !"

BYRON

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TO
THE PEOPLE OF IRELAND,
THE LONG-OPPRESSED,
THE LONG-ENDURING—THE PATIENT—THE FAITHFUL—
THE NOBLE IRISH PEOPLE,
THIS OUTLINE
SKETCH OF THE LIFE
AND COLLECTION OF THE
SPEECHES
OF ONE WHO HAS DEVOTED THAT LIFE
AND WOULD WILLINGLY GIVE IT
TO PROCURE THE REDRESS OF THEIR CRUEL WRONGS,
AND MAKE OLD IRELAND FREE,
IS MOST RESPECTFULLY DEDICATED, BY THEIR
VERY HUMBLE SERVANT,

JOHN O'CONNELL.

P R E F A C E .

THE following Work was commenced with the design of presenting, in a single volume, a hasty sketch of Mr. O'Connell's Life, and a collection of such of his Speeches as were delivered, under remarkable circumstances of the popular struggle in this country, from the period of the Union to the present time.

Allusions to this design and purpose will, therefore, be frequently met in the earlier part of this volume ; and the evidences of an endeavour at brevity will easily be detected:

But I had not far proceeded on my task, when from the immense number of occasions of interest and importance to the popular cause on which he had to put himself prominently forward, I saw that it would be impossible to confine myself within the original limits, and had, accordingly, to enlarge my plan as the work progressed.

Mr. O'Connell's history, as a public man, is, in fact,

the history of the popular cause in the times in which he has lived : so unreservedly did he throw himself into that cause, in obedience to impulses he had been conscious of from his earliest recollection, and continue in it throughout all its vicissitudes, of whatsoever colour or description.

Yet, it is not pretended, in this Work, to supply the *desideratum* of a complete and sufficient history, either of his times or of himself. That will be the work of his own pen, whenever leisure may enable him to carry out his intention of so doing.

The collection of Speeches, and the general narration which accompanies and connects them, have had the benefit of his revision—a circumstance which will give them more value than might otherwise attach.

The only additional remark, by way of preface, that I think I am called upon to make is, that the examination which my undertaking required of our records for the last forty-five years, has more than ever confirmed my conviction, of the absolute and imperative necessity of our taking, by a Repeal of the Legislative Union, our affairs from out of the hands of a people who have so cruelly mismanaged them, as have the English during that time ; and of the stringent urgency of the duty upon every Irishman—

high or low, rich or poor, Catholic, Protestant, or Presbyterian, if he would fulfil his obligations, not only as an Irishman but as a Christian man — to work incessantly and energetically for the restoration of his country to her proper rank among the nations of the earth.

JOHN O'CONNELL.

KINGSTOWN, DUBLIN,

February, 1846.

SKETCH

OF THE

LIFE OF DANIEL O'CONNELL, ESQ., M.P.

DANIEL O'CONNELL, of Darrynane, in the county of Kerry, (a gentleman of ancient family and independent fortune,) died in the year 1774. He left three sons surviving. The eldest of the three, Maurice O'Connell, succeeded him in the possession of Darrynane, and in the enjoyment of an estate which had never been forfeited, situate in Glencara, in that county; and also in the possession of several lands held under what was called Shelburne leases—namely, leases for three lives, dependent on ninety-nine years, renewable for ever, and having an origin prior to the enactment of the penal laws, and therefore not “discoverable;” that is, not liable to be laid hold on by any Protestant who chose to claim them.

The second son was Morgan O'Connell, of whom more hereafter.

The third son was Daniel O'Connell, respecting whom there existed many peculiar circumstances. First, he was the two-and-twentieth child of his father and mother. Secondly, he entered the French service as a sub-lieutenant of Clare's regiment, at the age of fourteen, in the year 1759. Thirdly, unaided by anything but his merit, he rose to the rank of major-general. He became colonel-commandant of the German regiment, in the French service, of Salm-Salm, of two battalions, of twelve hundred men each, which he converted from an undisciplined mob into confessedly the finest regiment in the great French camp, at Metz, in 1787. Fourthly, he served at

the siege of Gibraltar, in 1782, being then the second lieutenant-colonel of the regiment of royal Swedes—the first lieutenant-colonel being the Count Fersen, remarked for his personal beauty, and his alleged intrigues at the court of Louis XVI. Fifthly, Colonel Daniel Count O'Connell—to which rank he had then arrived—volunteered, with one hundred men, as marines, in the ship of the French admiral, who vainly endeavoured to prevent the relief of Gibraltar by Lord Hood. Sixthly, he was severely wounded in the actual attack upon Gibraltar, when the French were driven off by General (afterwards Lord) Elliot; and it was because of the gallantry he then displayed, that Louis XVI. conferred upon him the command of the regiment of Salm-Salm, already mentioned. Seventhly, he was appointed, in the year 1788, one of the inspectors-general of the French infantry. He was the actual author of the system of internal arrangements of the infantry forces now universally adopted in all the European armies. Eighthly, he was entrusted in 1789, by Louis XVI., during the first revolutionary violence, with the command of ten thousand of the foreign troops by which Paris was surrounded—and the writer of this sketch has often heard him declare, that if Louis XVI. had permitted the foreign troops to crush the Parisian revolutionary mobs, they were both able and willing to do so; but the humanity of that benevolent, but weak monarch prevented the making of the great experiment of suppression. Ninthly, he remained about the person of the king as long as it was possible for personal devotion to be of any use; and only emigrated when it was impracticable to serve the king by any other conduct. He then made the Duke of Brunswick's campaign, as colonel *à la suite*, in the regiment of hussars, called "*De Berchiny*;" and, after the close of that disastrous campaign, repaired to England, where he was principally instrumental in prevailing on the British government to take into their service the officers of the Irish Brigade late in the employment of France. Tenthly, there were six regiments forming that brigade in the British service; and the command of one of them was conferred upon him. Those regiments were exceedingly ill treated by the British government; and the officers (with the exception of the colonels) were unceremoniously put upon half pay. The

colonels, however, were, by stipulation, entitled to their full pay for life; and he accordingly enjoyed that pay, and his rank of colonel in the British service, during the rest of his life. Being married to a St. Domingo lady, he returned to France at the peace of Amiens, to make his claims to her estate; but, on the renewal of hostilities, he was detained as a prisoner in France until the restoration of the Bourbon family. Eleventhly, upon the accession of Louis XVIII., he was restored to his rank as general in the French service, and received his full pay both as a French general and a British colonel, from 1814 to the downfall of Charles X., in 1830. Having refused to take the oath of allegiance to Louis Philippe, he lost his French pay; but retained his pay as British colonel until 1834, when he died, in his ninety-first year.

To return to Morgan O'Connell, of Carhen, the next elder brother of the general. He intermarried with Catherine, sister of The O'Mullane, of White Church, in the county of Cork, a most respectable and ancient Irish family. By her he had ten children, who lived to the age of maturity; viz., four sons and six daughters. The sons were: first, Daniel, the subject of this sketch; second, Maurice, an officer in the British service, who died at St. Domingo, in 1796; third, John O'Connell, now of Grena, Esq.; and fourth, James O'Connell, now of Lakeview, Esq., both in the county Kerry, magistrates of the county, living on their estates. The daughters were: first, Mary, now the relict of Jeremiah M'Carthy, of Woodview, county Cork, Esq.; second, Honora, who died, the wife of Daniel O'Sullivan, of Reendonegan, in that county, Esq.; third, Ellen, who died, the wife of the late Daniel O'Connell, Esq., solicitor-at-law; fourth, Bridget, now the relict of Myles M'Sweeny, late of Drounquinney, Esq.; fifth, Catherine, now the relict of Humphry Moynihan, of Freemount, Esq., both in the county Kerry; and sixth, Alice, wife of William Francis Finn, Esq., of Tullyroan, in the county Kilkenny, for many years M.P. for that county.

Morgan O'Connell, the father of the ten children above enumerated, although a second brother, was in the enjoyment of a good income, derived from lands acquired by his care and industry. The first purchase which he made in lands, he was

obliged to make through the intervention of a trustee; and, although the consideration was paid by him, yet if the trustee (who, of course, was a Protestant) had chosen to violate the trust, he might have taken the property to himself; or any Protestant in the community, who chose to file a "bill of discovery," could compel that trust to be disclosed, and could take possession of the estate, without repaying any part of the purchase-money. Such was the state of the law at that period. •

• Daniel O'Connell was born at Carhen, situate about a mile from the present post-town of Cahirciveen, at the head of the harbour of Valentia. His birth occurred on the 6th August, 1775—a year memorable by its being that in which the first blood was shed in the contest between England and her then reluctantly-revolted American colonies. The first battle—that of Lexington—was fought in the same year with, and about three months prior to, his birth; and the battle of Bunker's Hill, a few weeks before that event. Thus, at the period of his birth, the great struggle that has lasted ever since between democracy and the aristocratic spirit and class, had commenced, nor has it yet terminated; neither will it soon be at an end. It, however, dates its great commencement from the year of his birth. •

• Mr. O'Connell's childhood and boyhood passed at Carhen, with the exception of visits—sometimes of considerable length—to Darrynane, then the seat of his father's elder brother, Maurice O'Connell, who, being childless himself, adopted his nephews, Daniel and Maurice, and took, in a great measure, the charge of their education upon himself. •

• Mr. O'Connell's first recollection is of an incident in itself interesting, which occurred in the year 1778, when he was only three years old. It is this. The celebrated Paul Jones, having got the command of three French vessels of war to cruise in the Irish seas and the English channel, recruited amongst the British and Irish seamen who were prisoners of war at Brest, and who were suffering all the then hideous tortures of a French prison—horrors which created a pestilence amongst the prisoners. Some of them, partly to escape death and partly by compulsion, took service with Paul Jones. A company of the Irish Brigade, under the command of Lieutenants M'Carthy and Stack, volunteered, as marines, on board the Bonhomme

Richard, his flag-ship. The first land made by Paul Jones upon his cruise from Brest, was the headlands of Kerry. When he closed in with the land, it fell a calm; and, the tide running at the rate of three or four knots an hour, between the Skelligs rock and Valentia harbour, the situation of the vessels became dangerous, and the boats were sent a-head to tow them out of their difficult position. Towards dusk, a light breeze springing up, the vessels got head-way, and were moving from the coast, and signals were made for the boats to cast off and come alongside; but two of the crews, consisting of some of the Brest prisoners, disregarded the signals, and, as the night darkened, pulled manfully for shore. They reached in safety Valentia harbour, pursuit being impossible; and, there being no authorities to whom they could give themselves up, they were hospitably received and entertained for some nights by a gentleman of the neighbourhood; who, however, made use of the time to procure a military guard from Tralee, into whose charge he delivered these deserters, much to their surprise and indignation.

• Mr. O'Connell describes his being taken in his nurse's arms to see these poor prisoners marched away for Tralee; and the peculiar impression made on him by one man, in particular, who seemed the *lawyer* of the party, and who, from the back of the grey nag he was riding, declaimed loudly against the injustice that was being done him and his shipmates.

• Paul Jones, probably in revenge, made prisoners of some poor fishermen whom he found at sea, off the coast, and took them with him, so that they were most unwillingly present in the celebrated action off Flamborough Head, where Commodore Jones took the British frigate, *Serapis*, with the loss of his own ship, which sunk as he boarded the *Serapis*. It is a singular fact, that Lieutenants M'Carthy and Stack, who boarded with their few surviving marines from the tops, were, although the most exposed, the only French officers unhurt in the action, and that one of them (M'Carthy) died a lieutenant-colonel in the British service; and the other (Stack) died a general in the same service.

The poor fishermen were taken to Brest, where they were allowed to labour in the arsenal, and saved money by the time they were exchanged. One of these men is but recently dead.

at a great age. He was a native of Valentia island, by name John Murphy; but ever since his compulsory adventure with the pirate, down to his latest day, was better known by the soubriquet of "Paul Jones." Nay, such is the tenacity of the peasantry in matters of nomenclature, that his son, a respectable young farmer, is now known as "Young Paul Jones," and the designation is in a fair way of being perpetuated in the country. The father was a man of great industry and integrity, and died wealthy.

A poor old hedge schoolmaster, by name David Mahony, may be given to fame, as the first person who taught Daniel O'Connell his letters; and the story of his achievement is not without a moral to those who have the instruction of children. Happening, upon one of his rounds in quest of charitable assistance, to visit Carhen House, he had taken young "Dan," then four years old, upon his lap, and was playing with him; when, perceiving that the child's hair, which was long, had got much tangled from exercise, he took out a box-comb and combed it thoroughly, without hurting the child, as the rough country maids scarcely ever failed to do. In gratitude for exemption from his usual torture, the child readily consented to learn his letters from the old man; and in the short space of an hour and a half, learned *the whole alphabet* perfectly and permanently. .

The moral of this tale is, not that you should comb children's heads gently, in order to ensure their learning quickly; but that the difficulties of teaching them, can be much lightened by a little care to conciliate their good will to the task.

At the age of thirteen Mr. O'Connell and his brother Maurice, a year younger than himself, were sent to the school of the Rev. Mr. Harrington, a Catholic clergyman, at a place called Redington, in the Long Island, two miles from Cove—the first school publicly opened, and held by a Catholic priest, since the penal laws. At the expiration of a year, the two brothers were removed from this school by their uncle Maurice, in order to be sent to the Continent to pursue their studies at greater advantage; for this purpose they were embarked in a brig bound to London, the captain of which was to land them at Dover, whence they were to take the packet to Ostend. •

The tide being out at Dover when the vessel arrived, those

passengers who were in haste to land, had to do so through the surf on the open beach; and Mr. O'Connell's first acquaintance with England was marked by a ducking in the surf, the boat having capsized through some mismanagement in beaching her. •

• An opportunity offering in a few days, the party proceeded to Ostend, and thence by *Treykschuyt* and *Diligence* to Liege, where, however, a disappointment awaited them. Mr. O'Connell was found to have passed the age when boys could be admitted as students, and they had to retrace their steps as far as Louvain, there to await new instructions from home.

The difference of disposition between the two boys was here strikingly shown: Maurice, the younger, naturally enough, availed himself of his six weeks' unexpected holidays (the interchange of communications between their then abiding-place and the remote shores of Kerry, requiring that interval), to indulge in all a boy's vacation amusements; while, on the other hand, his brother, feeling no relish for idleness, attended class in one of the halls at Louvain as a volunteer, and with such assiduity, that ere the arrival of letters from home, for which they were waiting, he had risen to a high place in a class of one hundred and twenty boys.

Their uncle's new orders were, that they should go to St. Omer; whither, accordingly, they proceeded, and remained a year—viz., from early in the year 1791, till a similar period of 1792—when they were removed to the English college of Douay for some months.

• Mr. O'Connell soon rose to the first place in all the classes at St. Omer's. His two close pressing rivals have since, each of them, reached the highest grade of their respective professions. The one of them became a Catholic priest, and has been for many years the Right Rev. Dr. Walsh, the venerable and most esteemed and respected Catholic bishop of the midland district in England. The other of them, his beloved friend and relative, alas! lately deceased, Christopher Fagan, went into the service of the East India Company, in which he rose to the rank of general, and filled that most important office (especially important in India), judge-advocate-general of the Indian forces.

Such were the fortunes of the three leading boys at St. Omer's, in the year 1791.

A letter from the Rev. Dr. Stapylton, president of the college of St. Omer's, to Maurice O'Connell, of Darrynane, (uncle of the subject of this memoir,) contains a curious anticipation, or (shall we call it?) prophecy. The following is an extract from that letter, dated in January, 1792:—

"You desire to have my candid opinion respecting your nephews; and you very properly remark, that no habit can be worse than that of the instructors of youth who seek to gratify the parents of those under their care, by ascribing to them talents and qualities which they do not really possess. You add, that, being *only the uncle* of these young men, you can afford to hear the real truth respecting their abilities or deficiencies. It is not my habit to disguise the precise truth, in reply to such inquiries as yours. You shall, therefore, have my opinion with perfect candour.

"I begin with the younger—Maurice. His manner and demeanour are quite satisfactory. He is gentlemanly in his conduct; and much loved by his fellow-students. He is not deficient in abilities; but he is idle, and fond of amusement. I do not think he will answer for any laborious profession; but I will answer for it, that he never will be guilty of anything discreditable. At least, such is my firm belief.

"With respect to the elder, Daniel, I have but one sentence to write about him, and that is, that I never was so much mistaken in my life as I shall be, unless he be destined to make a remarkable figure in society."

✧ Meantime all that had given any promise of good in the Revolution, then progressing in France, was fast waning, and becoming obscured under the thick gathering clouds of popular fury and insanity. The end of the year '91 witnessed the disappearance of the last faint ray of light from the murky and overcharged political atmosphere. Thenceforward the soil of France seemed given up to fiends newly burst from their caverns; and order, decency, morality, humanity, Christianity, were at an end in that unhappy land. ✧

• He were a friend to France who would take all occasions to remind her popular writers, and her people, of the deep debt of atonement that Frenchmen owe to popular liberty; to wipe away the memory of the hideous and horrible excesses with which their fathers disgraced that sacred cause, and furnished arguments against it to the exulting tyrants of the earth. •

• It is needless to say that the times were as perilous for strangers, as for natives; especially *English* strangers; under which designation the unhappy continental custom (now at last

beginning to be altered) of classing natives of Ireland abroad, caused Mr. O'Connell and his brother to be included. They had to remain, however, at Douay, during several weeks of the reign of terror, not being able to follow the example of other students in going home, owing to the interruption and delay of communications from Ireland. During this latter period the boys were several times insulted by the soldiery that passed through Douay, on their way to and from the seat of war on the northern frontier. On an eminence just outside the town, are the traces of a Roman camp, attributed to Cæsar; and here thirty-six thousand troops, the great majority raw boys, were for some time encamped, rendering residence at Douay still more dangerous and disagreeable. "Little aristocrats," "young priests," &c., were the mildest terms in which the unbridled soldiery saluted the boys wherever they met; and, on one occasion, the soldiers, as they were marched through the town, heaped the fiercest execrations and insults upon them.

• At length came the order, and *the funds*, for the home journey. On the 21st December, 1793, the day the unfortunate Louis was beheaded at Paris, the brothers set out in a voiture for Calais, which they reached early on the morning of the 23d; not, however, without some parting compliments from their friends, the soldiery; who went so far, as several times to strike the head of the vehicle with their musket stocks. The English packet-boat, aboard of which the boys proceeded with as little delay as possible, was presently under weigh; and as she passed out of the harbour, Mr. O'Connell and his brother eagerly tore out of their caps the tricolour cockade, which the commonest regard for personal safety rendered indispensable to be worn by every one in France; and, after trampling them under foot, flung them into the sea. This boyish outburst of natural execration of the horrors which had been committed under that emblem, procured them a few of those sonorous curses which only a Frenchman can give, from some fishermen rowing past at the moment, by whom the cockades were rescued from the waves, and placed in their hats with all becoming reverence. •

• It was the packet-boat which brought over the intelligence of the murder of the king. On board that packet-boat were the unfortunate John and Henry Sheares, whose tragic fate, in the

year 1798, is so well known. To their heated minds the revolution of France did not bear the same revolting aspect that it did to others; and they were loud in praise and prediction of its ultimate tendencies to good, in despite of the crimes and abominations marking its progress. The execution of the unhappy Louis was freely canvassed between them and an English gentleman on board; and John Sheares boasted that he and his brother had been present; having paid two national guards for liberty to wear their uniform, and do duty for them on that occasion. "Good heavens, sir," said the English gentleman, "what could have induced you to desire to witness so horrible a spectacle?" "Love of the cause, sir," was the reply.

These misguided and mistaken gentlemen little thought then of the dark fate which their wild theories were, ere many years, to bring upon themselves. All was exultation and hope in their breasts, as they nursed and amused themselves with projects of a realization in their own country of the liberty they believed to have been achieved by the people of that which they were leaving; and even from the trivial circumstance of a quick and a favourable sea-passage on that day, differing as it did from their usual ill-luck at sea, (having been twice wrecked before—once between Dublin and Parkgate; and again, on a former occasion, in the straits they were actually crossing,) they drew an omen of the success they fancied to await them.

Very different, as we have seen, from this undistinguishing and indefensible approval, or from any approval of the French revolution, was the disposition of mind of the two schoolboys. Their religious convictions and sympathies, and their personal feelings, alike indisposed them to view it, and all belonging to it, with other sentiments than those of horror and loathing. By all who were soundly Catholic in Ireland, the same sentiments were entertained on the subject, as the boys found when they reached home; and the after occurrences in France tending rather to increase than diminish this odium, it is not to be wondered at that Mr. O'Connell should, when in 1794, he became a law-student in Lincoln's-inn, be in a state very nearly approaching, as he has often said, to that of a *Tory* at heart.

So strong and ardent were these feelings, that the celebrated trial of Hardy and others having occurred about this time (viz.,

October, 1794), Mr. O'Connell attended it daily, certainly not more for the mere interest of the thing, or benefit of the law arguments to him as a student, than for the gratification of anti-revolutionary feeling, at seeing a supposed offender against law and social order in a fair way of receiving condign punishment.

• To Mr. O'Connell's astonishment, he found, ere the trial had proceeded far, that his sentiments were fast changing to those of pity towards the accused, and of something of self-reproach for having desired his conviction and punishment; and, each successive day revealing more and more the trumped-up and iniquitous nature of the prosecution, the process of change in Mr. O'Connell's mind ended by fully and finally converting him to popular opinions and principles, and confirming his natural detestation of tyranny, and desire of resisting it.

• His recreations, at this stage of life, consisted of two sports, of which he is still fond—fishing and hare-hunting. His native district of Iveragh affords abundant opportunity of gratifying these tastes; and, from early manhood down to the present day, the moment of escape from the busy world, and return to his native hills, with all their sports and enjoyments, has always been looked forward to, and seized upon, with delight. • The interest of his hunts was, at the time we are speaking of, enhanced to him by the difficulty resulting from the smallness of his pack; but they were all dogs of the best breed and nose; and with them he accomplished feats that would have done credit to the largest and best-appointed kennel. Often has the writer of these pages heard him describe, in his own graphic manner, his going out before dawn, to ensure that his few hounds should have the help of the scent still lying; the feelings of the party as they crouched amid the heather, waiting for day; the larks springing all around, and the eager dogs struggling to get free from the arms that restrained them. A wager—the *only* wager of Mr. O'Connell's life—was successfully accomplished by him with four of these hounds; namely, the killing of four hares in three successive days. The four hounds, in fact, ran down and killed six hares in those three days, and *vaulted* another—a feat which he boasts no four hounds *now* living could accomplish.

Eagerness in the pursuit of this amusement, had nearly cost him his life in the eventful year 1798—the same in which he was called to the bar. After the latter occurrence, which took place May 19, and before his first circuit, he proceeded, in August, to Darrynane; and there, from a young man's imprudence in allowing wet clothes to dry on him while he slept before a peasant's fire, after a hard morning's hunting, was, after the further imprudence of attempting, during a fortnight, to fight off the fierce assailant, prostrated by a most severe and dangerous typhus fever. Early in the disorder, he obtained a full consciousness of his danger; and retained that consciousness in the intervals of the fits of delirium which came upon him violently and frequently. Whenever the mind was able to assert its self-control, his most constant and bitterest thought was, that he was about to die, without having been able to gratify the instinctive and innate feeling which from infancy had been uppermost in his mind—the feeling of craving, that it might be his lot to do something for Ireland; and it is a curious fact, that, in his ravings, he was constantly heard repeating the following lines from the tragedy of “Douglas :”—

“ Unknown, I die; no tongue shall speak of me:
Some noble spirits, judging by themselves,
May yet conjecture what I might have prov'd;
And think life only wanting to my fame!”

An affecting incident marked the turn of the disorder. When, as he felt himself, and as he appeared to others, he was falling into his agony, his head had slipped from the pillow, and death would have been accelerated by the position, a cousin of his, who was present, raised him and supported him in her arms. While for a moment revived by this, his father came to the bedside; and, after contemplating him for a moment with agonized feelings, addressed him with “Dan, don't you know me?” As, with the last effort of nature, the son pressed the father's hand, in token of affectionate recognition; and, with the effort, the fell disease, that had so long been triumphant, seemed to be, for the first time, arrested—the crisis arrived, twenty-four hours' sleep followed, and thenceforth began, and steadily continued, the restoration of health. •

Among the various descriptions and denominations of yeomanry corps formed on the alarm of the deplorable insurrection of the year we are speaking of, one of the best got up, near Dublin, and best equipped, was an artillery corps by the bar, familiarly called the "Lawyers' Artillery." The uniform was blue, with scarlet facings and very rich gold lace; and, in every respect, their appointments were excellent. In this Mr. O'Connell served as a private; and earned his share of the just credit these doubly-civilian soldiers acquired by the rapid handling of their guns—equalling, as they did, the regular artillery in their management. •

• There has been much blame thrown upon Mr. O'Connell, and borne with most perfect equanimity by him, for speaking harshly of the conduct of the United Irishmen in 1798. He has done so, because, to use his own words, he "could not forgive them for helping Pitt to carry the Union."•

• This was, certainly, the effect and result of their conduct; different as was their intention. The enemies of Irish rights were thereby enabled to raise a clamour of fierce denunciation against all semblance of opposition, no matter how constitutional and legitimate, to the measures of government. No class in society are more excitable, nor easier misled and hurried into grave error, than the bulk of the owners of property; and their timidity and selfish jealousy being artfully appealed to by the minister, they speedily forgot, or disregarded, all distinction between political right and wrong, and encouraged and hallooed on the government to repress popular opinion with the strong hand. The hideous atrocities of the French republicans were unsparingly ascribed *in intention* to all who exerted themselves, no matter how constitutionally, to make a last rally against the plunder and degradation of Ireland; and many a good man shrank back from giving most useful assistance in the struggle, through abhorrence of the foul imputation, and fear of being confounded with the advocates of violence and bloodshed.

• Young as Mr. O'Connell was, when these men were in the hottest of their zeal and their hopes, his judgment and reason had already moved him so strongly to recognise the great principle, which it has been the business and great object of his life to propagate and establish—the principle of avoiding all violence,

of shunning with abhorrence everything that could, even remotely, tend to causing the loss of one drop of human blood—that he held aloof from the society of the United Irishmen, attending strictly to his professional studies, though not the less watching closely each move of the political world at home and abroad with something of the feeling of the sailor, who, ere the hour has come for weighing anchor, is yet seen observing every change of the heavens and the ocean, and every vicissitude of the vessels in the offing, to gather what warning he may. .

. Still ardour, and enthusiasm, and fearless devotedness have their contagion, especially with young men ; and Mr. O'Connell might not have altogether escaped the wide-spread meshes of the rebellion, but for a chance circumstance which we shall narrate as briefly as possible. .

. Nearly a stranger in Dublin, he had the more appreciated the hospitality of the few whom he did know ; and amongst these was one, a Mr. Murray, then of Great George's-street, at whose house he was a frequent guest. At a time when, as is well known, the habits of society were, unfortunately, of too convivial a nature—gentlemen seldom leaving the dining-room until scarcely able to do so of their own motion—Mr. O'Connell had, from a reasoning as well as a natural disinclination to the disgusting custom, more than once incurred the not-very-damaging abuse and reproaches of the common herd of boon companions. In his native county he had been the first to strike a blow at the abominable practice of locking the door after dinner—insisting at a jovial meeting, where it was thus sought to restrain him, on having the door unlocked ; which was done after considerable opposition and angry remonstrance. .

. On one occasion, however (perhaps the only one of his life), at the table of Mr. Murray, already mentioned, about the month of March, of the year 1798, he was betrayed, by the heat of a political discussion, into some forgetfulness of his constant habit of temperance ; and took what to him was inconvenient, although to the well-soaked brains of most of his compeers it would have been of no consequence. Returning that night full of self-reproach and annoyance at the unaccustomed sensations he had subjected himself to, his interposition to save a wretched female from the blows of some cowardly

ruffians, in the garb of gentlemen, drew upon him the attack of the whole party; but for awhile (owing to his great strength and activity) with signal discomfiture to themselves, three being knocked down by him in succession. However, one of the latter, on getting up, came behind and pinioned him, and so he was overpowered—receiving, while in this defenceless position, and ere he could free himself, several blows on the face, by which it was so disfigured, as to render a few days' confinement to the house advisable. While under this irksome restraint, his landlord, a most respectable tradesman (well known long afterwards to the Dublin theatre-going folk as Regan the fruiterer), then purveyor to the Castle of Dublin, took the liberty of his years, and permitted but respectful familiarity, to warn his young lodger from committing himself politically—detailing the dark hints rife in the purlieus of the Castle, of the deep and fearful game the government were playing in allowing the insurrection to mature, while they kept themselves ready, and had it in their power to lay hands upon its leaders at any moment.

The truth and value of his anxious warnings did not long delay to appear. Within a very brief period after this occurrence (quite long enough, however, to have given occasion for incurring the danger, but for the warning), arrests were made; and, amongst others, he whose virtues and true nobility of soul would have shed a lustre upon any cause, was made prisoner, and wounded, when so, by the base slaves of a base government. Their dastard cruelty was yet merciful, as Lord Edward Fitzgerald died in prison from his wounds, and so escaped the felon hands of the executioner.

We are not writing a history of this melancholy period. Even at the distance of forty-five years, the retrospect is one of the most fearfully exciting that can well be made. The blood boils, and mounts to the brain at the thought of it. The madness of the people—the worse madness of their leaders—the hateful and unchristian policy of the government—the licence given to a party in the state (to the Orangemen of high and low degree) to work their will in exasperating the wretched people (licence used until some of the worst scenes of the anarchic and anti-social revolution of France were paralleled): all these present a picture that makes the mind glad to turn away to anything—even to the

present miseries of our country, but still more gladly to her bright and self-earned hopes of the future, rather than dwell upon that which even yet might madden and unfit us for the coming times of peace and conciliation.

• Let us, therefore, return to Mr. O'Connell's personal history.

The fact is too well known to need our repetition, that Mr. O'Connell's first public effort was made against the measure of the Union. At the period when that nefarious measure was agitated, the Catholic body had, for the first time since the Revolution of 1688, come to be of importance in the state, and of considerable importance. A probability, exaggerated by the fears of the minister, existed, that men of all creeds would combine to oppose the iniquity he was seeking to perpetrate. The infamous wiles, by which he had sought to win over the privileged class in the state, were, at least to some extent, failing to realize his base expectations. Despite the demoralizing influence of the money then so lavishly expended, and the even more demoralizing and corrupting influence of the long and cruel ascendancy which one class of Irishmen had been given, and had exercised over their countrymen; still what remained of public spirit in Ireland could not be so utterly oblivious of the pledges, and achievements, and glories of 1779–1782, as patiently to suffer the country to pass under the Candine forks, and sink from her high position as an independent nation, into all the debasement of a miserable mendicant province.

• Seldom, in the history of the world, have any set of men been so beset with evil temptations as the Protestants of Ireland since the Revolution. The gratification of every passion and prejudice was, until of recent years, unreservedly in their hands. Place was for them, power was for them, emolument was for them; nay, civil liberty and the commonest, as well as the more extended, rights of property were exclusively in their hands. The Catholic was nothing; or, if the phrase may be used, was in a condition worse for himself, than if he had been considered literally as nought. The law recognised him; but, as was well expressed by an English judge in Ireland, he “was well known to the law only for the purpose of punishment.”

• Drugged and intoxicated with the deleterious influences to which they were thus subjected, it cannot be matter of wonder

that human nature had yielded ; and so the spectacle was presented, throughout a century, of men discharging, doubtless, all the duties of private life, so far as regarded their own families, connections, and class, with the average fidelity and rectitude ; and yet constantly, steadily, and placidly, lying under the guilt, and enjoying the profits of the terrible guilt in which they were involved by their concurrence in the penal laws against the great bulk of their fellow-countrymen. •

• Still even from this moral lethargy, worse than death, men could be woke up, and the Protestants of Ireland were aroused towards the end of the century. Too much—fatally too much of the old spirit remained, leavening the glorious efforts of 1779–1782. Exclusion still was to be maintained ; Catholics were, indeed, recognised as Irishmen, but as Irishmen of lesser stamp, of limited birthrights, of inferior destiny. The honoured names of Flood and Charlemont stood against the political and civil rights of their countrymen. But in good or evil, men seldom make a bold advance, but that the onward impulse will continue. Crippled as the Irish parliament still was, subject yet to the worst influences of bribery and corruption ; the echoes of '82 did not quite die away within its walls without swelling the cry for Catholic relief. Under its influence measures of relief were passed, of which the effect, of course, was, to render the Catholic body of more weight in the state, and that weight they readily and heartily threw into the national scale. The patriotic party in parliament and throughout the country, found their hands strengthened by the concessions they had themselves originated, and they naturally inclined to persevere in a course already so productive of benefit to their views. The English party correspondingly resolved to nullify this new source of strength to their opponents. Nothing offered of efficiency for this purpose, save the long-meditated, but (on account of its difficulties) long-delayed measure of the union. Only by the entire deprivation of her legislative powers could Ireland be hindered of the blessings that would be ensured, were the new-born spirit of mutual conciliation and assistance among her people to be allowed time to strengthen and progress. •

• It is well known that by the joint agency of the foul means of

a rebellion, fomented just long enough to give excuse for outrageous military violence, and of gross pecuniary corruption, the English party succeeded, and Ireland's liberties and hope were crushed and overthrown. The success, however, was not easy. The rebellion had well nigh been a revolution. The bribery design failed with many. The spirit of nationality did not pass away without a struggle. Protestants yet rallied, despite the potent appeals to their fears, passions, prejudices, most intimate interests—gallantly they rallied for Ireland; and thanks to their noble efforts, there was more than one occasion when the fabric the minister had, with such base zeal, and painful and degrading toil, sought to erect over the landmarks of Irish liberty, seemed about to tumble upon, and crush him in its hideous ruin. •

• In this peril the bright idea struck him of seeking to bribe the despised Catholics also, since the proud and pampered Protestant party would not all consent to sell their birthright. Efforts were made to this end, and were, in a few quarters, successful to an extent, that it would be uselessly painful to describe. The great bulk of the Catholics, indeed, gave unmistakable symptoms of non-acquiescence, but they were unaccustomed to act together, or almost at all in public. Some rallying point, some centre of union, was wanting to prevent them from being misled, or seduced and divided; in short, some *leader* was wanting—and the time being come, the leader appeared. •

• Circumstances of relationship, and affection should not be held absolutely to limit the expression of opinion on the acts of a public man. The step was a bold one—a *very bold* one—which Mr. O'Connell now took. Terrorism was the order of the day—tyrannous, intolerant, brutal terrorism. To be suspected of national feeling was then (and for some years afterwards) as dangerous in Ireland, as the suspicion of aristocratic tendencies had recently been in France. Even Protestants, the favoured race, had come under the ban of persecution on this score; several of them—one illustrious above all—one, the purest spirit of his time—almost of any time—the gifted, the ardent, the enthusiastic, the devoted Fitzgerald, had been made to pay the penalty of life for loving Ireland. The constitution existed but

in name—law had no operation, save as it might forward the views and intents of the wretches in authority—dissent, or even silent non-acquiescence in the ultra notions then afloat concerning royal prerogative and power, was little short of sedition; open remonstrance against the will of the government was nearly confounded with open treason. At such a time, for a Catholic, a young, unknown, unfriended Catholic, to come forward to oppose the government, words could not speak the indignation of the satellites of the latter at such unheard-of, undreamed-of audacity; nor, in truth, adequately describe the danger in which he was placing himself.

* Of his own frequent descriptions in speeches, letters, &c., of the state of those times, one of the most succinct and impressive is in his report, of April, 1840, to the newly-formed Repeal Association, on the “means by which the Union was carried.”

“The second means for carrying the union were—‘the deprivation of all legal protection to liberty or life—the familiar use of torture—the trials by courts-martial—the forcible suppression of public meetings—the total stifling of public opinion—and the use of armed violence.’

“All the time the Union was under discussion, the HABEAS CORPUS ACT WAS SUSPENDED—no man could call one hour’s liberty his own.

“All the time the Union was under discussion, COURTS-MARTIAL had power unlimited over life and limb. Bound by no definite form or charge, nor by any rule of evidence, the COURTS-MARTIAL threatened with DEATH, those who should dare to resist the spoliation of their birthrights.

“There was no redress for the most cruel and tyrannical imprisonment. *The persons of the king’s Irish subjects were at the caprice of the king’s ministers. The lives of the king’s Irish subjects were at the sport and whim of the boys, young and old, of the motely corps of English militia, Welsh mountaineers, Scotch fencibles, and Irish yeomanry. At such a moment as that, when the gaols were crammed with unaccused victims, and the scaffolds were reeking with the blood of untried wretches—*at such a moment as that, was it, that the British minister committed this act of SPOILIATION and ROBBERY, which enriched England but little, and made Ireland poor indeed.

“ Besides the suspension of the Habeas Corpus Act, and the consequent insecurity to personal liberty—besides the existence of courts-martial, and the consequent insecurity of human life; besides all these, actual force was used—meetings of counties, duly convened to deliberate on the measure, were dispersed by military force. It was not at Maryborough or Clonmel alone, that the military were called out, horse, foot, and artillery, to scatter—and they did scatter—meetings convened by the legal authorities, to expostulate, to petition against the Union. Force was a peculiar instrument to suppress all constitutional opposition.

“ Why should we dwell longer on this part of the subject, when in a single paragraph we have, in eloquent language, a masterly description, which easily supersedes any attempt of ours? Here are the words of PLUNKET—‘ I will be bold to say, that licentious and impious France, in all the unrestrained excesses that anarchy and Atheism have given birth to, has not committed a more insidious act against her enemy, than is now attempted by the professed champion of civilized Europe against Ireland—a friend and ally—in the hour of her calamity and distress. At a moment when our country is filled with British troops—whilst the Habeas Corpus Act is suspended—whilst trials by courts-martial are carrying on in many parts of the kingdom—while the people are made to believe that they have no right to meet and deliberate, and whilst the people are palsied by their fears, at the moment when we are distracted by internal dissensions—dissensions kept alive as the pretext of our present subjugation, and the instrument of our future thralldom!!! Such is the time in which the Union is proposed.’ ”

• Undeterred by all this, the Catholics of Dublin assembled in the Royal Exchange Hall, on the 13th January, 1800, to petition against the Union; and Mr. O’Connell, who had taken the chief part in the preliminary arrangements, maintained it during the proceedings. Ere these had gone far, the measured tramp of soldiery was heard, and presently the red-coats appeared under the main portico, facing Parliament-street. The noise of their approach, and the sudden halt, with the clashing of the muskets as they were grounded on the flag-stones, struck

terror into many a timid heart, and caused a sensible diminution along the outskirts of the meeting; but the main body stood firm, while Mr. O'Connell, and a few of the principal gentlemen, advanced to meet the officer in command of the soldiers. This was the Major Sirr, whose name occurs so frequently in the dark records of the internal government of Ireland at that unhappy time. He inquired the objects, &c., of the assemblage, and evidently disappointed at the peace, and order, and readiness to submit to the law, which he found prevailing, reluctantly suffered the meeting to proceed. •

* The first in our collection of Mr. O'Connell's speeches, is that delivered by him on the occasion of this meeting. It was his maiden speech; and the opinion he therein expressed, to the effect that the old penal laws, in their worst enormity, were preferable to that concentration of penal enactments which practically exists in the Union statute, is the opinion that he entertains to the present day:—

COUNSELLOR O'CONNELL rose, and in a short speech prefaced the resolutions. He said that the question of Union was confessedly one of the first importance and magnitude. Sunk, indeed, in more than criminal apathy, must that Irishman be, who could feel indifference on the subject. It was a measure, to the consideration of which we were called by every illumination of the understanding, and every feeling of the heart. There was, therefore, no necessity to apologize for the introducing the discussion of the question amongst Irishmen. But before he brought forward any resolution, he craved permission to make a few observations on the causes which produced the necessity of meeting as Catholics—as a separate and distinct body. In doing so, he thought he would clearly show that they were justifiable in at length deviating from a resolution which they had heretofore formed. The enlightened mind of the Catholics had taught them the impolicy, the illiberality, and the injustice of separating themselves on any occasion from the rest of the people of Ireland. The Catholics had therefore resolved, and they had wisely resolved, never more to appear before the public as a distinct and separate body; but they did not—they could not then foresee the unfortunately existing circumstances of this moment. They could not then foresee that they would be reduced to the necessity either of submitting to the disgraceful imputation of approving of a measure as detestable to them,

as it was ruinous to their country ; or once again, and he trusted for the last time, of coming forward as a distinct body.

There was no man present but was acquainted with the industry with which it was circulated, that the Catholics were favourable to the Union. In vain did multitudes of that body, in different capacities, express their disapprobation of the measure ; in vain did they concur with others of their fellow-subjects in expressing their abhorrence of it—as freemen or freeholders—electors of counties or inhabitants of cities—still the calumny was repeated ; it was printed in journal after journal ; it was published in pamphlet after pamphlet ; it was circulated with activity in private companies ; it was boldly and loudly proclaimed in public assemblies. How this clamour was raised, and how it was supported, was manifest—the motives of it were apparent.

In vain had the Catholics (individually) endeavoured to resist the torrent. Their future efforts, as individuals, would be equally vain and fruitless : they must then oppose it collectively.

There was another reason why they should come forward as a distinct class—a reason which he confessed had made the greatest impression upon his feelings. Not content with falsely asserting, that the Catholics favoured the extinction of Ireland, this their supposed inclination was attributed to the foulest motives—motives which were most repugnant to their judgments, and most abhorrent to their hearts. It was said that the Catholics were ready to sell their country for a price, or, what was still more depraved, to abandon it on account of the unfortunate animosities which the wretched temper of the times had produced. Can they remain silent under so horrible a calumny ! This calumny was flung on the whole body—it was incumbent on the whole body to come forward and contradict it ; yes, they will show every friend of Ireland, that the Catholics are incapable of selling their country ; they will loudly declare, that if their emancipation were offered for their consent to the measure—even were emancipation after the union a benefit—they would reject it with prompt indignation. (This sentiment met with approbation.) “Let us,” said he, “show to Ireland, that we have nothing in view but her good ; nothing in our hearts but the desire of mutual forgiveness, mutual toleration, and mutual affection ; in fine, let every man who feels with me proclaim, that if the alternative were offered him of union, or the re-enactment of the penal code in all its pristine horrors, that he would prefer without hesitation the latter, as the lesser and more sufferable evil ; that he would rather

confide in the justice of his brethren, the Protestants of Ireland, who have already liberated him, than lay his country at the feet of foreigners." (This sentiment was met with much and marked approbation.) With regard to the union, so much had been said—so much had been written on the subject, that it was impossible any man should not before now have formed an opinion of it. He would not trespass on their attention in repeating arguments which they had already heard, and topics which they had already considered; but if there was any man present who could be so far mentally degraded, as to consent to the extinction of the liberty, the constitution, and even the name of Ireland, he would call on him not to leave the direction and management of his commerce and property to strangers, over whom he could have no control.

He then concluded by moving the resolutions, which being seconded, passed unanimously, and the meeting broke up.

† The following were the resolutions passed at the meeting. They were drawn up by Mr. O'Connell himself:—

"Royal Exchange, Dublin, January 13, 1800.

"At a numerous and respectable meeting of the Roman Catholics of the city of Dublin, convened pursuant to public notice, Ambrose Moore, Esq., in the chair—

"Resolved—'That we are of opinion that the proposed incorporate Union of the legislature of Great Britain and Ireland is, in fact, an extinction of the liberty of this country, which would be reduced to the abject condition of a province, surrendered to the mercy of the minister and legislature of another country, to be bound by their absolute will and taxed at their pleasure by laws, in the making of which this country would have no efficient participation whatsoever.'

"Resolved—'That we are of opinion that the improvement of Ireland for the last twenty years, so rapid beyond example, is to be ascribed wholly to the independency of our legislature, so gloriously asserted in the year 1782, by virtue of our parliament co-operating with the generous recommendation of our most gracious and benevolent sovereign, and backed by the spirit of our people, and so solemnly ratified by both kingdoms as the only true and permanent foundation of Irish prosperity and British connection.'

"Resolved—'That we are of opinion, that if that independency should ever be surrendered, we must as rapidly relapse into our former depression and misery; and that Ireland must inevitably lose, with her liberty, all that she has acquired in wealth, and industry, and civilization.'

"Resolved—'That we are firmly convinced, that the supposed advantages of such a surrender are unreal and delusive, and can never arise in fact; and that even if they should arise, they would be only the bounty of the master to the slave, held by his courtesy, and resumable at his pleasure.'

"Resolved—'That—having heretofore determined not to come forward any more in the distinct character of Catholics, but to consider our claims and our cause not as those of a sect, but as involved in the general fate of our country—we now think it right, notwithstanding such determination, to publish the present resolutions, in order to undeceive our fellow-subjects who may have been

led to believe, by a false representation, that we are capable of giving any concurrence whatsoever to so foul and fatal a project; to assure them we are incapable of sacrificing our common country to either pique or pretension; and that we are of opinion, that this deadly attack upon the nation is the great call of nature, of country, and posterity upon Irishmen of all descriptions and persuasions, to every constitutional and legal resistance; and that we sacredly pledge ourselves to persevere in obedience to that call as long as we have life.'

"Signed, by order,

"JAMES RYAN, Sec."

It was at somewhat of an earlier period of the Union-discussion that Mr. O'Connell was one of a supper-party, at a tavern in Dawson-street, where a member of parliament, reproached another member present with having voted for the Union, when he, a much poorer man, had resisted the minister's solicitations. He appealed to "*the young gentleman present*," whether it was not an unworthy act. That "young gentleman's" opinion was declared very soon afterwards, however modesty and courtesy may have then restrained his tongue, and forty-five years since have shown it not an opinion lightly taken up.

Yielding to the obvious necessity in a sketch, such as this can alone be, of Mr. O'Connell's life, we pass the eventful period of '98—1800, without going into more details, although necessarily leaving much of deep interest untouched. It is Mr. O'Connell's intention to write his own life, if he can find leisure; and, in the event of his being able so to do, the more the omissions in the present sketch, with regard to details of interest, the better for the public.

The calamitous occurrences of 1803, found Mr. O'Connell a barrister, already in good practice for so young a lawyer. He was again summoned to bear his part in the general arming which took place on the breaking out of the short, but most disastrous insurrection of that year, and served in "the lawyers' infantry;" such being the description of arm which the bar then chose. On two or three occasions, while out on duty, he incurred much risk himself, in preventing some of the many acts of wanton cruelty which the exasperated citizen-soldiery were only too ready to commit. A member of the attorneys' corps (a cavalry corps) sought to cut down an unoffending man, who, frightened and defenceless, was seeking only to get out of the way of the armed men, in whose presence he had suddenly found

himself; Mr. O'Connell received on the barrel of his musket the sword-cut intended for the poor wretch, and the weapon was deeply indented with the force of the blow. For a moment, it appeared likely that the disappointed and enraged attorney would have turned his fury on Mr. O'Connell himself, but Mr. Wagget, afterwards recorder of Cork, who was Mr. O'Connell's sergeant, coming up just then, and briefly gathering the particulars of the matter, took Mr. O'Connell's part effectively, by charging the horseman with his levelled halbert, before which he was glad to flee, amid a shower of violent reproaches from his assailant. x

γ On another occasion, when posted as sentry near one of the canal bridges, he was ordered by an officer to fire upon some unarmed country people, who chanced to pass at the other side of the canal, at a prohibited hour of the night, and he utterly refused. A third time he was in peril, when, being with a party who had orders to search a hotel in James's-street, for suspected parties who were thought to have arrived there by the canal boat, he had singly to oppose the wanton and licentious violence of his comrades, who sought to drag an inoffensive stranger and his wife from their beds. x

• His experience in these sad times has left an indelible impression upon him of the danger of entrusting civilians with arms; the tendency, in his own words, that a man has, "when he has arms in his hands, to be a ruffian," being uncontrolled by that custom of bearing them under strict restraints and practices of long discipline, which makes the soldier patient and forbearing. The "lawyers' infantry" were, of course, composed of gentlemen. The education for the arduous profession of the bar should, one would have thought, have tended to refine the mind, and teach restraint over the brute impulses; and yet, among some, there was a spirit of licence and outrage prevailing, that the most reckless and disordered soldiery could scarcely equal. γ

• Stricken down to the earth, as Irish public spirit might well have been, after the distractions and disasters of 1803, following so close as they did on the monster catastrophe of 1800, we yet find the Catholic body so active in 1804, as to have incurred the hostility of the government.

In submission to their proclamation, the Catholic Board was dissolved ; but only to arise under another name, as the “ Catholic Committee.” •

• In the succeeding year it was determined to test, once more, the sincerity of Pitt, who, since his return to office, had shown no disposition to risk losing his place again, as he lost it in 1801, by attempting to redeem his Union-promises to the Catholics, Lords Fingall, Shrewsbury, Kenmare, Southwell, and Trimleston, with Sir Edward Bellew and Messrs. Scully and Ryan, were deputed to wait on him, with three alternatives, viz. :—

1st. That he should present the petition they bore, and introduce a measure of Emancipation.

2nd. That he should present the petition, and pass a resolution in favour of it. And,

3rd. That he should simply present, and move it to lie on the table.

Even the last small favour he refused, because of the “ obstacles,” as he said, “ in a certain quarter.”

These words referred, of course, to the king, George III., a man whose natural narrow-mindedness and badness of heart, had now got the intensity of that madness, which, a few years later, openly declared itself. •

• Notwithstanding this discouragement, the petition was presented. Lord Grenville had the charge of it in the upper house, where his motion for taking it into consideration was rejected by 178 to 49 ; and the celebrated Fox introduced it in the lower, where the result was similarly unfavourable ; 336 voting against him, and but 124 on his side.

• The accession of the Whigs to power, on the death of Pitt, in January, 1806, gave new hopes to the Catholics. But with those hopes there arose a controversy amongst them. The “ wait-a-while ” policy, to which, on the coming in of the same party in 1831, we were so angrily exhorted, had its advocates in 1806, as in the latter period. It was said, “ Do not embarrass the Whigs—they are our friends—give them time—only let them alone, and you shall see what great things they will do.” John Keogh, of Mount Jerome, the old leader of the Irish Catholics, assisted the counsellors of this policy on different grounds. He

argued that the Catholic body would lower themselves were they to be constantly petitioning. That after the manner in which the parliament had treated them in the year just gone, it would not be becoming for them so soon again to present themselves as humble petitioners. That they should wait in what he styled "dignified silence," till they should see whether, under the change of government, there would be a change of parliamentary policy, and how their Whig friends would set about reducing to practice their old professions of good will. •

• Mr. O'Connell, however, could not see, either then or at the subsequent period alluded to, the validity of any of the arguments for delay. Quiescence, in his opinion, would but relieve their inveterate foes, in parliament, of the annoyances which they complained of from agitation; and would tend still further to dishearten the popular mind in Ireland, and dangerously diminish what little there remained of hope for redress of grievances by constitutional means. He, therefore, however reluctantly, had to array himself in opposition to Mr. Keogh; and at a meeting in the Assembly Rooms, William-street, (the present place of meeting of the Dublin Corporation,) he succeeded, a good deal aided by Mr. Keogh's accidental absence during a great part of the discussion, in carrying his own views. Mr. Keogh returned to the rooms just as the meeting was dividing on Mr. O'Connell's motion for petitioning, and was much annoyed to find himself beaten by 134 to 110.

• The first regularly reported debate of the Catholic body is to be found in the Dublin newspapers of January, 1808. They met at what was then, and long after, called, the "Exhibition House," in William-street—subsequently, and at present, the Corporation House of Assembly—on Tuesday, the 19th of January, for, as their announcement said, "the purpose of submitting certain resolutions, as well as to consider the propriety of presenting a petition to the Imperial Parliament, praying the removal of the disabilities under which the body had so long and so patiently laboured." •

• The Earl of Fingall was in the chair, and the proceedings were opened by Count Dalton, who, after alluding to the accidental absence of Lord Gormanstown, moved a resolution, expressing anxiety to petition Parliament for a Repeal of the

Penal Laws, and declaring that to be the “critical juncture when such a petition ought, without delay, to be transmitted.”

John Byrne, Esq., of Mullinahack, seconded the motion, and deprecated divisions amongst the Catholics.

Mathew O’Conor, Esq., of Mount Druid, (the recently deceased author of the “Military History of Ireland,”) opposed it. The following was the substance of his strange argument: .

. “Although my mind is forcibly impressed with the propriety and even necessity of petitioning, yet, my lord, there are some gentlemen for whose opinions I entertain the highest respect, and on whose judgment I have the utmost reliance, who seem to think that this measure will only expose us to the mockery and insult of men in power; to derision, rejection, and defeat; that we have already done everything to impress on the legislature and the people of Great Britain, the justice, the policy, and expediency of our Emancipation: and that we should leave our cause in the hands of Providence, until a Grattan, or a Ponsonby, or some other great luminary shall dispel the clouds that now darken his Majesty’s councils; and in the redeeming spirit of the constitution, rescue us from our slavery and degradation. I submit it, my lord, that the opinions of the gentlemen to whom I allude, who have great experience in our affairs, should induce us to pause and deliberate; besides, I have it from the most unquestionable authority, that some of our best patriots—some of the greatest statesmen in the empire—men who have the cause of the Catholics at heart as much as any Catholic who hears me, are most decidedly convinced that your preferring your petition at this moment will be injurious to our interests and will only tend to distract the councils of the empire. Amidst these conflicting opinions, let me conjure you to pause before you precipitate a measure of such importance.”

Mr. O’Conor went on to complain of the hasty manner, according to him, in which the meeting had been summoned. He further objected to the particular resolution then before them; that it spoke of the necessity of repeal of Catholic disabilities, and left out mention of those affecting dissenters, and ended with a protest against a portion of the proposed petition, which traced the origin of the Catholic restrictions to the reign of William III; who, he declared, “*cherished and protected the Irish Catholic!*” He moved an amendment to adjourn. 7

Mr. Clinch seconded the amendment, in a speech similar in its topics and tendency.

• The following is the report of Mr. O'Connell's speech on this occasion. We extract it from *The Dublin Evening Post* of Saturday, January 23, 1808 :—

• “ Mr. O'Connell said he had not intended to address the meeting. His anxiety for the Catholic cause alone brought him forward. He entertained no apprehension about Catholic Emancipation, but such as might arise from the conduct of the Catholics themselves. He could not avoid asking whether the public time was to be wasted by childish and puerile objections—objections that could only manifest a spirit of division, a feeling of party, and a miserable ambition of leadership. With every faculty of his mind awake to the deplorable consequences of division, he should not cease to exert all the energy of his soul to stimulate their minds to unanimity. When an adjournment was proposed, he expected to hear it supported by some kind of argument; had any existed, it would certainly have been put forward by the eloquent gentlemen who had already spoken; that they had not condescended to reason was to him decisive proof that no plausible reason existed. No man was more ready to abandon his opinion to argument, but he could not agree to a measure fraught with mischievous consequences, merely because one gentleman made a motion, and another was pleased to second it. He would entreat of gentlemen to take a cautious view of the precipice which opened to them, should they suffer their good sense to be led away by any motives, to the adoption of the sentiments excited industriously; but for no good purpose excited by those who would divide the Catholic body. Common sense alone ought to be a sufficient protection against the insidious attempt. He begged to remind gentlemen of what had taken place at the last meeting. The generous feelings of Catholics had gained precedence of their interests, and they had given up the presenting of their petition, in the last session of Parliament, to their gratitude towards their political advocates. There was another reason for that sacrifice: a stupid and atrocious spirit of bigotry had been fomented in England, even by ministerial authority; and the Catholics had generously withdrawn from the struggle, that they might deprive British intolerance of even the *shadow* of an excuse. He recollected with pleasure the splendid exertions of the ancient advocate of the Catholic cause, (John Keogh,) upon that occasion. He it was that had urged the topics just alluded to, with irresistible

force ; and had not an illness, now deeply to be deplored, prevented his attendance this day, division in the Catholic body could not be feared. His powers of reasoning would have frightened away the captious objections taken to the resolution, and the Catholics of Ireland would have again to thank their old and useful servant for the preservation of their honour, and the support of their interests. Mr. O'Connell called the attention of the meeting to the resolution which had unanimously passed at the last meeting ; and by which the care of the Catholic petition was entrusted to the noble earl in the chair. It was committed to his sole management. Neither jealousy could suggest, nor folly express an objection to the resolution which had so committed it. It was unnecessary for him, and indeed he had not the powers to put, in their proper point of view, the qualities that called for and justified that confidence ; and the presence of the noble lord restrained the effusions of public gratitude for his services, but the impression was the more deeply felt for being cherished only in the silence of the heart.—[Mr. O'Connell was here interrupted by loud and repeated acclamations :]—Well, to Lord Fingall you committed the sole management of your petition ; he accepted the office ; he was authorized to act for himself ; and it is attempted to be insinuated to this meeting that he has not acted consistently ; because, when he might have acted upon his own suggestions alone, he anxiously and industriously sought for the advice and assistance of every individual who had heretofore taken part in the Catholic question. This, under the resolution of the last meeting, was an unnecessary condescension ; but assuredly it was the more amiable and the less liable to objection. Yet what was the ground the supporters of an adjournment went upon ? It amounted to this ; that Lord Fingall had done, with advice and deliberation, that which he might have done instantly and alone. Was the calling of the present meeting less the act of Lord Fingall, because the opinions and judgments of so many whom he had consulted concurred with him in its propriety ? To such absurdity were his opponents driven, that they must support the affirmative of the proposition. But it was said that there had been no notice given of the present meeting. It was strange to hear this objection urged by gentlemen whose presence seemed to admit that the notice was sufficient. However, what was the fact ? Had not that meeting been announced in all the Dublin papers more than ten days previously ? It could not be denied that it had been so announced ; still a pretext was left, and they had been gravely told that it was true the announcement of the meeting had been published,

but that it was published in form of a paragraph, and not of an advertisement. Here then it stood admitted that it was not for substance, but mere matter of form, that the Catholic body was to be divided. One would imagine that division was a good thing, when so flimsy a pretext was resorted to, to produce it. He trusted that the gentlemen themselves would abandon their opposition, when they saw the question put in this, its proper light. The Catholics of every part of Ireland had been consulted: their sentiments as to the propriety of petitioning had been required by letter. Numerous answers had been received from the most respectable persons in all the counties, who all concurred in this one opinion, that the petition should be forwarded without the smallest delay. In some parts the Catholics had already gone further—meetings had been held in the cities of Cork and Waterford, and resolutions to that effect entered into; nay, the petition had not only the good wishes of our liberal and enlightened Protestant brethren of Ireland, but some of them had expressed their sentiments by a public resolution; he alluded to that of the nobility and gentry of the county of Tipperary. Their conduct, patriotic as it was amiable, useful as well as benevolent, was the theme of general admiration. He regretted that he could not speak of it in terms according with the gratitude of his heart. It reminded him, however, of that affectionate attention and care for the rights of Irishmen, warmed, though not created, by the benevolent recommendation of our beloved sovereign, which has induced the Irish Protestants of the present generation to break the fetters of the Catholic, and totally to emancipate the Presbyterian—a wise and magnanimous policy, which would have long since restored the Catholic to complete freedom, had their cause and their country been left in the hands of Irish Protestants (loud and repeated applause.) Under those circumstances, nothing but disunion among themselves could ever retard the Catholic cause. Division, while it rendered them the object of disgust to their friends, would make them the scorn and ridicule of their enemies. He was ready to admit that the present administration were personal enemies of the Catholic cause; yet if the Catholics continue loyal, firm, and undivided, they had little to fear from the barren petulance of the ex-advocate, Perceval, or the frothy declamations of the poetaster, Canning—they might meet with equal contempt the upstart pride of the Jenkinsons, and with more than contempt the pompous inanity of that Lord Castle-reagh, who might well be permitted to hate the country that gave him birth, to her own annihilation. He was also free to confess that

he knew of no statute passed since the Union, which had for its object to increase the trade, or advance the liberties of Ireland ; but he thought it impossible, if the Catholics persevered, with undivided efforts, in their loyal and dutiful pursuit of Emancipation, that any administration could be found sufficiently daring in guilt to stand between them and the throne of their father and sovereign ; and most calumniously and falsely use his name to raise obstacles in the way of good subjects seeking to become free citizens. He did, therefore, conjure the gentlemen to give up their opposition ; he respected their talents, and however convinced of their mistake, could not doubt the purity of their motives. They must see that their arguments against the resolution were confined to the ridiculous opposition, in fact, against the noble lord, for his having condescended to ask advice before he acted ; and to the equally frivolous difficulty objected to the form of the notice for calling the meeting. Was it possible that rational beings should govern their conduct by such arguments in the serious pursuit of freedom ? They were sons, and might dearly love the parents who gave them birth—let them recollect that it was for their rights that the petition was framed : they were brothers, and should, if they felt the endearing impulses of fraternal affection, sacrifice party, and of course mere forms and ceremonies, in a struggle for obtaining the rights of their brethren : they were parents, and all the sweet charities of life, combined in favour of the children who looked up to them for protection. It was the liberties of those children the present petition sought—would they postpone for an hour that sacred blessing ? Could they, from any motive, thwart the progress of those who sought it ? He knew that was impossible—and he hoped, therefore, there would be no division.”

• The result of the debate was a withdrawal of the amendment, and the unanimous carrying of the resolution to petition.

Although much of very intimate interest to the Catholic body occurred both at home and abroad, and their agitation was constantly kept up under one form or another, during the remainder of the year 1808, and the course of 1809, there was nothing (the Veto question excepted, to which, however, there will be a future occasion for full reference) that need delay us, in this sketch of Mr. O’Connell’s life, from coming to the year 1810, when the second *national* occasion occurred, (the first having been that we have recorded, at the Union), for his being brought forward as the mouthpiece of the bulk of the Irish Catholics. .

“Before proceeding, however, to notice the occasion alluded to, it is not out of place to glance at his private history.

In his answer to Lord Shrewsbury's attack upon him, in the year 1842, there is* from his own pen, a brief, but striking picture of the every-day current of his life. The period referred to includes, indeed, many years later than those included in the space we propose to hurry over, viz., from 1806 to 1810, but the description applies strictly in its details. The reader will find the following passage at page 19 of the pamphlet published by Machen, D'Olier-street, in 1842.

* In answer to a taunt at his receiving the O'Connell rent, he says:—

“I will not consent that my claim to ‘the rent’ should be misunderstood. That claim may be rejected, but it is understood in Ireland.

“My claim is this:—For more than twenty years before Emancipation, the burthen of the cause was thrown upon me. I had to arrange the meetings—to prepare the resolutions—to furnish replies to the correspondence—to examine the case of each person complaining of practical grievances—to rouse the torpid—to animate the lukewarm—to control the violent and the inflammatory—to avoid the shoals and breakers of the law—to guard against multiplied treachery—and at all times to oppose, at every peril, the powerful and multitudinous enemies of the cause.

“To descend to particulars. At a period when my minutes counted by the guinea—when my emoluments were limited only by the extent of my physical and waking powers—when my meals were shortened to the narrowest space, and my sleep restricted to the earliest hours before dawn; at that period, and for more than twenty years, there was no day that I did not devote from one to two hours, often much more, to the working out of the Catholic cause; and *that* without receiving, or allowing the offer of any remuneration, even for the personal expenditure incurred in the agitation of the cause itself. For four years I bore the entire expenses of Catholic agitation, without receiving the contributions of others to a greater amount than seventy-four pounds in the whole. Who shall repay me for the years of my buoyant youth and cheerful manhood? Who shall repay me for the lost opportunities of acquiring professional celebrity; or for the wealth which such distinction would ensure?”

✧ In one of those entertaining sketches of the Irish bar which, some two or three and twenty years ago, Mr. Shiel and Mr. William Henry Curran, at present a Commissioner of the Insolvent Court, supplied, to a London periodical, Mr. O'Connell's manner of life, in the times referred to by himself in the foregoing extract, is, if we may use the word, *outlined* with considerable vigour and effect. The silent and absorbed vigil for hours before the dawn; the dimly-lighted study; the sign of our salvation hanging pictured against the wall; the motionless form beneath it, with head bent over the voluminous law-papers scattered in profuse disorder around; the same hermit-like figure, a few hours later, transformed into the bustling barrister, keeping contending attorneys at a run, to match his mountaineer rate of going, as he hurried to the courts. The third transformation late in the afternoon, when the man of legal points, and formal precedents, and abstruse arguments, would be found the merry, fearless, *rollicking* agitator, declaiming in a popular meeting, and now *playing* on the laughing faculties, and anon on the deepest and most powerful feelings and passions of his auditory, with a master hand; as he assailed, with ridicule, the petty despots of the day, or depicted, with terrible vividness, the wrongs, the miseries, the oppressions of Ireland and her people. Such were the leading features of Mr. Shiel's sketch; and they were true to nature. ✧

✧ There *were* matters that Mr. Shiel did not attempt to depict—the inner details of his life—the friendships, of which he was the centre and the soul—the unspeakable domestic affections that gathered around his hearth, and which, with one most mournful exception, are yet to be found there thronging. ✧

* The interval of time which has now elapsed, since the death of one who made the happiness of his existence as she did that of her family, has not sufficiently softened the deep grief of her loss, to render practicable any attempt to describe that happiness. The union was one, indeed, of love. Mary, the daughter of Dr. O'Connell, of Tralce (a distant relative of his own, a man of high talent and character in his profession), small as her fortune

was, became the choice of his heart, at a time when his uncle, who had been the guardian of his youth and on whom his best hopes depended, was urgent with him to address himself to either of two well-dowered young ladies on whom the old gentleman had fixed his eye. This circumstance required secrecy to be for a while observed, till time should be given for anger to cool down; and, accordingly, Mr. O'Connell's marriage took place privately, on the 23rd of the month of June, 1802. The marriage was celebrated, in Dame-street, at the lodgings of Miss O'Connell's brother-in-law, Mr. James Connor, who, with his wife, her sister, was present, as was also Mr. James O'Connell, now of Lakeview, near Killarney, Mr. O'Connell's brother. The ceremony was performed by the Rev. Mr. Finn, then and still parish priest of Irishtown. •

• Discovery followed ere very long, as usually happens in those cases; and his uncle's anger was for a time vehement. When, however, he did allow the young couple to visit him, and came to know and appreciate the qualities of his niece, his sentiments became utterly changed, at least in so far as she was concerned; and as much as his nature, which was not of the softest, would allow, he received her into his affections. Mr. O'Connell, of course, shared in this change of feeling; but it did not extend so far as quite to do away with the alterations, unfavourable to him, which the old gentleman had, on first hearing of the marriage, made in his will. •

• Whatever Mr. O'Connell lost in this respect, he far more than gained in that happiness of his life, which we cannot dwell on now without opening a fresh, a sad, and cruel wound. We can say no more than that doubting, she confirmed him—desponding, she cheered him on—drooping, she sustained him—her pure spirit may have often trembled, indeed, as she beheld him exposed to a thousand assaults, and affronting a thousand dangers; but she quailed not, she called him not back. She rejoiced not more in his victories over them, than she would have heartily and devotedly shared with and soothed him in the sufferings, in the ruin, that might have come upon him had he failed and been overthrown. •

• In their own empire—the sweet domestic circle—women, too, can serve their country: and well, and faithfully, and most

powerfully, in many emergencies, did she, of whom we speak, use all a devoted and a tenderly-beloved wife and mother's influence for poor Ireland! One trait of mutual affection may be recorded. In absence, they wrote letters to each other every day. Most of these letters are preserved.

- The year 1810 witnessed the first revival of Irish national spirit, after the crushing blow of the Union—the first uncertain efforts amid the mass of ruin in which they had fallen, to look out and seek to uprear again the shattered pillars of her constitution.

- The Catholic body were, as they had been for the preceding years, busy about their own claims; but they were about to be given an opportunity, where they least expected it, for coming out again as nationalists, not as a class. In looking over the newspapers of the time for that event, we have lit upon the following brief note, not very important in itself, but inserted here as one of the indications of the steady-going agitation even then in progress. It occurs in the *Freeman's Journal* of Friday, February 23, 1810, and is as follows:—

“TO THE EDITOR OF THE FREEMAN'S JOURNAL.

SIR—I am directed by the Catholic Committee to inform you, that the statement contained in a morning paper of this day, respecting their proceedings, is extremely inaccurate and erroneous in many important particulars; more especially as far as relates to the Veto. That question *was not* fixed for discussion, nor was there *any determination* whatsoever on the subject.

“I am also directed to request that you will publish this letter, as the committee consider that such statement, if uncontradicted, may be productive of mischief.

“I am, sir, your obedient servant,

“DANIEL O'CONNELL, Acting Sec.

“Crow-street, February 22, 1810.”

- As we have said, the Catholics were about being summoned forth as nationalists. The flame of liberty awoke where least it was expected—namely, in the Dublin corporation. Messrs.

* We have, unfortunately, been unable to find, in time for insertion here, a speech of Mr. O'Connell's, in the year 1835, which touched upon his married happiness; and was so admired for its pathos and power, as to have been copied into nearly all the English and Scotch papers. It will, however, be found at the end of the volume.

Hutton, Willis, Paterson, and other respectable citizens, there resolved, that at least an attempt should be made, whatever might be the result, to stay the downward progress of the country since the Union; and obtain for her the restoration of her parliament to revive and protect her. They had made a previous attempt in the year 1808, but without much result, owing mainly to the distractions of the popular mind in that year, from the first agitation of the veto. Still the following, which we copy from the *Dublin Evening Post* of March 26, 1808, will show that there was *some* movement, even then, towards the great question of the present day :—

“**REPEAL OF THE UNION.**—The corporation of skimmers and glovers have the honour of being the first to come forward to express their sentiments on the policy and necessity which exists for a Repeal of the Act of Union. These worthy and spirited citizens met yesterday, when they entered into resolutions, which will be found in another column. Other corporations are preparing to follow up with spirit the example of the skimmers and glovers. They will not be deterred by the assertion that the effort is useless. They recollect, that although it was proposed in the Irish House of Commons, that the petition from Belfast, for the Repeal of Poyning's law, should be burned by the hangman, in College-green; yet, in less than seven years after, the law was repealed: they will also recollect that Lucas was exiled for supporting those principles, which afterwards procured Grattan the thanks of his country, and a vote of fifty thousand pounds.”

In 1810, however, these patriotic citizens awoke a better, a *national* response. The freemen and freeholders of Dublin, of all classes, combined to give it; and the Catholics were not among the least forward. The *Freeman's Journal* then, as now, ably sustained and laboured to increase the national sentiment. The *Dublin Evening Post*, too, acted a noble part; one which it is quite competent, and we trust will soon be found willing, to imitate in the present day. •

Although we are not writing a history of the time, we cannot refrain from prefacing Mr. O'Connell's speech at the meeting of citizens of Dublin for Repeal, in 1810, with some ex-

tracts from the journals of the time, chiefly from the *Freeman*, showing the spirit that then was alive among all parties. *

* We proceed, therefore, to give a brief report of a meeting of the Dublin corporation, early in May, extracted from the *Freeman's Journal* of May 12, 1810—a short statement of the steps adopted by them to procure a general meeting of citizens, extracted from the *Freeman* of the 25th July. The requisition for that meeting, as published in the same paper, September 11, and a report of the meeting itself with all its interesting circumstances, from the newspapers of the 19th and 22nd September, the latter having the best report of Mr. O'Connell's speech on that most interesting occasion.

COMMON COUNCIL DUBLIN.

FRIDAY, MAY 4, 1810.

“Mr. Willis said he rose under much difficulty, from the insidious and malignant attacks on his character which the house had just listened to. He hoped it would not prejudice them against the motion he would now submit to them on the measure of the Union—a motion so interesting to every Irishman, that it stood in need of little apology. He had no doubt but Dr. Whitclaw's pamphlet would be again introduced, to show the prosperity of this city, but he would oppose to that the general and overwhelming bankruptcy with which this unfortunate country was inundated. He asked why Westmoreland-street, Grafton-street, and every other trading part of this city, exhibited such distress?—why so many houses and shops were shut? It is because the men of property, the fashion of the country, were inveigled away by this measure to spend their property in another land. He considered a union of the government absolutely necessary to support our glorious constitution, and the connection between the sister islands, to render the executive strong and powerful, to enable it to bring into action the whole strength of the empire: but a union of legislatures he considered in a very different point of view. A non-resident legislature, four-fifths of which knew little of this ill-fated country, but by misrepresentation, be they ever so well inclined to serve us, are liable to imposition, practised by interested or designing men. This had been the case in the coal act, the paving act, the insurrection act, and many others. He should, therefore,

without troubling them any further, move the following petition to the imperial parliament:—

“ ‘To the Knights, Citizens, and Burgesses, in Parliament assembled, the
Petition of the Corporation of the city of Dublin,

“ ‘SHEWETH,

“ ‘That your petitioners, warmly attached to our most gracious sovereign the king, and to our excellent constitution, have for many years observed that the law which unites Great Britain and Ireland, though in full operation ever since the act passed, has not increased their prosperity, comfort, or happiness. That, on the contrary, your petitioners have observed, that the views and intentions of your honourable house in passing that act have been frustrated, and that they, with the rest of their fellow-subjects in Ireland, have, in consequence of that arrangement, suffered extremely in their manufactures, trade, and commercial concerns. Experience has proved the fallacy of the hopes held out by the advocates of legislative union. We perceive no alteration in our manners, from the benefit of a more civilized intercourse—no influx of British capital or manufactures—no additional security to church or state, or to the connection between the sister islands; the discord of religious sects has not been extinguished; it has had no tendency to increase the loyalty of the loyal, or to diminish the disaffection of the disaffected. The rigorous (perhaps necessary) acts of the sessions of 1807, to preserve the tranquillity of this kingdom, demonstrate that in the opinion of the imperial parliament itself, the union has not added to our security.

“ ‘When we come forward with this petition, and crave an impartial revision of the act of union, let no man say that we do it to distress his majesty's councils in an arduous contest with a powerful and inveterate foe. Our conduct in this, as on all other occasions, is actuated by that zeal for the glory and honour of his majesty's throne, and the prosperity of the empire, which always characterised this ancient and loyal corporation in the worst of times. Our conduct is grounded on a full conviction that the union is injurious to both countries—that it adds nothing to the splendour of the throne, or the prosperity of the empire. That, instead of securing, it endangers the connection, and that a repeal thereof would be one of the wisest and most beneficial measures that ever came before the imperial parliament.

“ ‘When you erect in Ireland the standard of the British constitution, unstained and pure—when you give to Irishmen the invaluable blessings of that constitution, and a connection on liberal terms with the Mistress of the Ocean, then the loyal will be strengthened, the wavering will be confirmed, and the deluded will be reclaimed; all Irishmen will flock around it, and be ready to die in its defence.

“ ‘Your petitioners, therefore, in behalf of themselves and their fellow-subjects in Ireland, most humbly but most earnestly entreat your honourable house to take their lamentable situation into your serious consideration, and promote, as far as in your power lieth, an act to repeal the union act between Great Britain and Ireland.

“ ‘And your petitioners, as in duty bound, will pray.

“ ‘He was seconded by Mr. Samuel Neville.

“ ‘Mr. M'Kenzie said he was *obliged*, being instructed by his corporation, to vote for a petition. He conceived his instructions did not go to support such a petition as the one now read; the language was *improper*—it could not be otherwise, coming as it did. The usual way was to appoint a committee, which way he would support.

“ ‘Mr. King said he was also instructed to vote for the measure; he

thought it presumptuous in any man to introduce such a petition—he therefore would move for a committee.

“Mr. Read read the instructions of his corporation, which he felt an honourable pride in obeying. He considered himself bound by those instructions to support any and every petition which had a tendency to point out the situation of the country, and lead in the most distant way to the repeal of that odious law. He wondered any Irishman could so far forget the honour of his country, as to advocate so abominable a measure.

“Mr. Giffard asserted that the country was never more prosperous than since the time of the union—that commerce and agriculture flourished—that credit was established upon a rock too firm to be shaken—that the measure was not only salutary but indispensable—that it served the country, &c.

“Mr. Patterson—Mr. Sheriff, the gentleman who has now sat down, appears to me to forget his usual prudence: had he let this question go in silence to the chair, it would travel up to the board, and there die a natural death; instead of acting thus, he debates on the prosperity of the country, and the advantages the metropolis has obtained. Had he mentioned the union of Scotland as honestly paid for, he would be heard, and believed, with patience. Look, since 1707 to this day—see now granted £50,000 for the canal to form the west communication to the east, and £10,000 for roads and bridges in the highlands. Now, sir, if he wishes to argue the blessings we have received by the union, I am ready to meet him on fair principles—from the Dean of Gloucester’s famous pamphlet to the Bishopric of St. David’s, and then travel to the See of Armagh. The Irish union was never paid for, except the price of the rotten boroughs that filled the pockets of a few individuals. I will not now detain this house but to remark, that if arguments be necessary, I hope to be able to satisfy this house and the honest citizens of Dublin, of the atrocity of a measure that has so lately hurled destruction on some of the most respectable mercantile firms in the kingdom.

“Mr. Giffard—Sir, I have no doubt but the gentleman will satisfy himself, and not the public; but from the threats he holds out of the Dean of Gloucester, the Bishop of St. David’s, and then travelling to the See of Armagh, I will let the question go in silence to the chair.

“Mr. Patterson—Yes, sir, he does right to let the question pass in silence to the chair; but I am certain of convincing him, with com-

pound interest, for his observations on this question of union, should he attempt to justify the measure.

“Mr. Craven said he rose for the purpose of delivering his sentiments on the question of union, and to give the petition his warm support, as he conceived it spoke the language of truth, and was couched in a respectful and firm manner; but if it was the sense of the house that it should go to a committee, he had no objection. Sir, when this measure was first broached, great promises were made to the people of Ireland. The Catholic body, without whose consent the measure could never have been carried, were promised emancipation—for this promise they sacrificed their country—they were duped and disappointed—Dublin was to be made a free port—the tolls were to be taken off your canals—you were told that this country was to be a land flowing with milk and honey. Now, sir, the experience of ten years has shown you how all these fine promises have been fulfilled; your country was sold by the most shameful traffic, and the people burdened with intolerable taxes, to compensate, bribe, and pay the very men who betrayed you. The gentleman who has just sat down, tells you he stood single-handed and alone to support that measure. I will certainly give him credit for consistency, when almost every honest, unbribed, unplaced, and unpensioned man in the kingdom petitioned against it except himself; and I have a right to make the exception, as we have seen him sacrifice his place, when he thought it interfered with a public duty. He did singly in this house support a measure that blotted Ireland as a kingdom from the map of Europe. He now tells you, that it was the happiest event ever Ireland was blessed with; and that the inhabitants of this metropolis had increased in wealth, and were making rapid fortunes in consequence of it. Sir, are the numerous bankruptcies, almost unparalleled in this city, a proof of the blessing? If an individual instance of the injury it has done Ireland was wanting, *I could mention myself; and declare on my oath, as a member of the corporation, that I have, on an average of the number of years that have passed since that event took place, lost five hundred pounds per annum.* Sir, it is not my wish that the House of Commons, as they were before the union, should be restored; it would in that case be only necessary for the minister to double your window-tax; and the same men would sell you again, whenever the same temptation was held out to them. One great good has come from the union, I will allow: that is, that it has made a precedent, and laid the foundation of a reform in parliament, without disturbing or agitating the people, of

risking the loss of innocent lives. The one hundred members you now return to the imperial parliament, are almost all representatives of the counties, cities, and principal towns; restore them to us, and if they are thought too few, double or treble them, but let them be returned by the same places; let them, with our house of lords, and our beloved king, legislate for Ireland in the capital of their kingdom, and not merge amongst five hundred foreigners, who know little about you, and care still less. Had a parliament so constructed in Dublin, your paving bill and many obnoxious measures could never have passed into a law; nor would it have been in the power of an individual to have the banking bill thrown out, by which, from an honourable gentleman's own statement, the city of Dublin annually loses £200,000. For these reasons I do most heartily concur in any measure that may lead to do away the evil under which we suffer.

“Mr. Willis moved for a committee, which was carried, 42 to 38; and then sent the resolution to the board for their concurrence, who adjourned without coming to any decision.” >

REPEAL OF THE UNION.

“Pursuant to the resolutions of the Common Council, entered into at the Quarter Assembly last Friday, the committee, then appointed, met yesterday at the Exhibition House, William-street, in order to forward such measures as may be considered most conducive to effect the repeal of that most obnoxious arrangement—a Legislative Union. Indeed, the results of that fatal measure have been so destructive as to convince the most obstinate, and awaken the most besotted. The general state of bankruptcy and decadence which predominate over this *once* flourishing metropolis, are the ablest comments on that pestiferous act which deprived Ireland at once of her independence and parliament. In adverting to that period, we know not most which to condemn—the measure itself, or the means by which it was so ungraciously accomplished. The *Union* was founded on the *disunion* of Irishmen; and while we equally execrate and lament the unhappy catastrophe, let us also express a hope, that, admonished by our former fate, we will *henceforth* cling together with *one* heart and

one voice, as indispensably necessary to rescue the country from its present abyss.

"As this kingdom has been erased from the list of nations by its recent dissensions, so even yet it is not too late to rescue it by the Union of its inhabitants. Without the operation of this salutary principle, the same influence that *once* diffused its baleful operation, will *again* arise and exert itself to defeat the generous but ineffectual struggle of a deeply-injured people. A requisition to call an aggregate meeting has, in consequence, been resolved on.

"The following is a list of the committee for repealing the Union:—

Aldermen.	Commons.
EXSHAW,	MESSRS. CRAVEN,
HOWISON,	HUTTON,
Sir WM. WORTHINGTON,	EATON,
REED,	TUDOR,
HONE,	FERRALL,
ARCHER,	STEPHENS,
CASH,	M'KENNY,
BLOXHAM,	NEVILLE,
ALLEY.	HARTY,
	HAMILTON,
	DIXON,
	DAVIS,
	GONNE,
	MINCHIN." x

"Dublin, August 8, 1810.

"We, the undersigned late Quarter Session Grand Jurors of the city of Dublin, viewing the distressed and deplorable state of our manufacturers in every branch, and the city and nation in general, do feel ourselves called upon to point out what we conceive the only mode of radical relief from the general gloom and misery that pervade this unfortunate land, which is to request, and we do hereby request the high sheriffs to call a meeting, as soon as possible, of the freemen and freeholders of this city, to prepare an humble petition to his Majesty and the parliament, praying for a Repeal of the Act of Union, as we, in common with all our unbiassed countrymen, look upon that act, as the root and origin of all our misfortunes.

Thomas Rochford,
John Farrell,
Ambrose Moore,
Bever Buchanan,

R. Marshall,
L. Morgan,
John Hamilton,
Luke Sibthorpe,

John Davis,
John Keogh,
Thomas MacBride,
John Read. x

"We, the undersigned freemen and freeholders of the city of Dublin, do request Sir Edward Stanley and Sir James Riddall, Knights, high sheriffs of this city, to call a meeting of the freemen and freeholders, at as early a day as

possible, to take into consideration the necessity that exists of presenting a petition to his Majesty and the imperial parliament, for a Repeal of the Act of Union.

The Hon. Robert Moore,
Daniel Hutton,
Ambrose Boxwell,
John Moore,
Joshua Pasley,
William Bardin,
Charles Bingham,
Samuel Neville,
Joshua Kearney,
Benjamin Eaton,
Joseph Langstaff,
William Porter,
Peter Hoey,
William Abbott,
Tresham Gregg,
Charles Lilly,
Saml. Stephens, [Wellington]
Joshua Birkett,
John T. Sinnot,
Charles Thorpe, jun.,
Robert Newell, jun.,
Robert Harty,
John Willis,
Mark McCormick,
John Taylor,
Toby Molloy,
John Meyler,
F. W. Conway,
Richard Cole,
William Farrell,
Richard Spear,
R. Wilson,
Jonah Barrington,
W. Wood,
John O'Neill,
James Thorp,
John Fox,
Henry Jones,
John Hawkins,
Thomas Grubb,
Anthony Vaughan,
Bartholomew Murphy,

Peter Gorman,
James Ross,
Davis Tate,
Henry Willett,
James Patterson,
Robert Hunter,
Bernard Cummons,
John Hunnon,
Thomas Geoghan,
Joseph Adrien,
James Rooney,
Peter Campbell,
Edward Burnett,
John Potts,
J. D. Potts,
Philip W. Harvey,
James Shaw,
James Brush,
Richard E. Mercier,
Jonas Paisley,
Patrick Gibbons,
David Hinchy,
Henry Sutton,
Michael Kehoe,
G. Connor,
Thomas Dowling,
Edward Butler, jun.,
John Magee,
John Stevenson,
William Molloy,
Charles Darley,
William Poole,
M. H. Conolly,
Ebenezer Geale,
Thomas Abbott,
Christopher Regney,
George Coyle,
Richard Connory,
John Busby,
John Dixon,
Edward Ferrall,

Thomas Willyn,
Edward Sterne,
John Pasley,
Robert Fyan,
John Fyan,
William Laine,
E. Berney,
Charles Cox,
William Stephens,
John Williams,
Laughlin Maxwell,
William Rochford,
John Donovan,
Alex. Wilson,
George Irwin,
Benjamin Stephens,
Charles Corly,
John Drummond,
Nicholas Kildahl,
James O'Badne,
G. Henry,
Benjamin Pemberton,
R. Manders,
Michael Farrell,
Peter Brophy,
Francis Humphrys,
William Campbell,
John Preston, jun.,
Robert Brindley,
Robert Beard,
Andrew Carr,
Jonathan Knaggs,
James Dowling,
Robert Patterson,
William Gilbert,
Zachariah Foxall,
William Bushe,
Thomas Conran,
W. Petterson,
Thomas Clinch,
Richard Millikin.

" TO THE FREEMEN AND FREEHOLDERS OF THE CITY OF DUBLIN.

" GENTLEMEN—Fully impressed as I am with the right which the freemen and freeholders possess, of expressing their sentiments upon any public measure, in a constitutional and moderate form; and feeling a decided conviction of my legal competency to assemble them, I hereby, in compliance with the above requisition, appoint the 18th day of September instant, to meet at the Royal Exchange, for the purpose of taking into consideration the propriety of petitioning our gracious sovereign and the imperial parliament for a Repeal of the Act of Union.

" In fulfilling this my bounden duty, I feel it necessary to recommend the decorum and order which should characterise an assembly of the citizens of Dublin, called together for a great public object, in which the interests of their country are so deeply concerned, they will conduct the discussion with that temper and moderation becoming their cause, and worthy their character of free and loyal citizens. With this persuasion on my mind, I shall feel it unnecessary to assemble any guard whatever, but the beaules of the respective corporations.

" (Signed)

JAMES RIDDALL.

" Stephen's-green, September 10, 1810.

" GENTLEMEN—Although extremely desirous to forward the wishes of any portion of my fellow-citizens, yet it appears to me, upon mature consideration, that the proposed objects of the meeting, which you have required me to convene, are so unlikely to be obtained, and so obviously calculated, unnecessarily, to agitate the public mind, and to endanger the peace of the city, for which I am responsible, that I would consider it a violation of my duty to comply with

the requisition. I am fortified in this determination, by the advice of the most eminent bankers, merchants, and magistrates, whom I have consulted, and whose opinions were totally unswayed by any party or political motive.

"I have the honour to be, gentlemen, your most obedient humble servant,
" (Signed) EDWARD STANLEY.

"To the Freemen and Freeholders of the County
of the City of Dublin, who have signed
a Requisition for an Aggregate Meeting
relating to the Union."

At an Aggregate Meeting of the Freemen and Freeholders of the city of Dublin, convened pursuant to requisition, and held at the Royal Exchange, on Tuesday, the 18th September, 1810, Sir James Riddall, High Sheriff, in the chair, it was—

"Resolved unanimously—That a committee of nine gentlemen be appointed, for the purpose of preparing a petition to his Majesty, and another to the two houses of parliament, praying a Repeal of the Act of Union."

"The committee having been appointed, and the petitions read—

"Resolved unanimously—That the petition to the King's most excellent Majesty, praying a Repeal of the Union Law, be adopted as the petition of the freemen and freeholders of the county of the city of Dublin."

"Resolved unanimously—That the petition to both houses of parliament, praying for the said Repeal, be adopted as the petition of the assembly."

"Resolved—That a permanent committee of twenty-one persons, freemen and freeholders of the city of Dublin, be appointed, and hereby entrusted, not only with the care of having the petition presented to his Majesty and to Parliament, but with the duty of co-operating with all such other persons as shall seek, by legal and constitutional means, the Repeal of the Act of Union."

"Resolved unanimously—That our excellent and amiable viceroy, his Grace the Duke of Richmond, has, by the uniform conciliation and wisdom of his conduct, merited the gratitude and thanks of the Irish nation. As a patron of public institutions—as a friend to Irish manufactures—as an upright chief governor, combining at once suavity of demeanour with constitutional moderation, his Grace's ministry will be long remembered with affection and esteem by every loyal Irishman."

"Resolved unanimously—That we, the citizens of Dublin, in aggregate meeting, legally assembled, fully impressed with a sense of his Grace's many virtues, seize with pleasure this public opportunity of returning our grateful acknowledgments to his Grace, and of thus recording our unqualified approbation of his lieutenancy in this kingdom."

"Sir James Riddall having left the chair, and Robert Shaw, Esq., M.P., being called thereto—

"Resolved unanimously—That the thanks of the aggregate meeting, and the gratitude of the Irish nation, are due to Sir James Riddall, Knight, not only for his polite and dignified conduct this day in the chair, but also for the uniform patriotism with which he has distinguished his sheriffalty."

"Resolved unanimously—That a piece of plate, of the value of at least one hundred guineas, be presented to Sir James Riddall, as a small token of the respect and gratitude which his fellow-citizens entertain for his integrity, which yielded neither to influence nor menace in the performance of his public duty."

"Signed by order,

"FREDERICK W. CONWAY, Sec." X

AGGREGATE MEETING.

“At a meeting of the citizens, freemen, and freeholders of the city of Dublin, at the Royal Exchange, on Tuesday, 18th September, 1810, held pursuant to a requisition of several respectable citizens of Dublin, to the high sheriffs, to consider of a petition to the king’s most excellent majesty, and the imperial parliament, praying them to take into their consideration the Repeal of the Act of Union—Sir James Riddall, Knight, high sheriff of the city of Dublin, in the chair.

“On Sir James Riddall taking the chair, he addressed the most numerous and respectable auditory that ever assembled in the city of Dublin. He recommended to the assembly to maintain the utmost order and regularity in their proceedings; assuring them he had the greatest hopes that if they conducted themselves with propriety, they would finally succeed in carrying their point; but by manifesting a contrary disposition, they would afford a pretext to their enemies to malign their motives.

“The requisition, signed by a number of citizens, freemen, and freeholders of the city of Dublin, at the late Quarter Sessions Grand Jury, was read by Mr. Frederick Conway, who was appointed secretary to the meeting, stating, that on account of the depressed state of the manufactures in the county and city of Dublin, the citizens of Dublin pointed out as the only mode of radical relief which occurred to them was to present a requisition to the high sheriffs of the city of Dublin, to call a meeting of the citizens, freemen, and freeholders of Dublin, to consider of presenting a petition to his Majesty, praying a Repeal of the Act of Union.

“Sir James Riddall then said—In consequence of the requisition, I have called you, gentlemen, together this day. I am determined, impartially, to hear every one for and against the question; a patient hearing will be given to every gentleman who chooses to deliver his opinion on either side.

“Mr. Hutton then rose and spoke as follows:—Mr. Sheriff, I am called upon to move a resolution, that a committee may be appointed to prepare and draw up a petition to the king’s most excellent Majesty, and to the imperial parliament, to take into consideration the Repeal of the Union. I stand forth on this occasion, an advocate of the Repeal of the Act of Union, and I claim your candid attention. I am aware of the inadequacy of my abilities on this occasion, but I appeal to your candour and goodness, and I appeal to every

man that knows me, of the rectitude of my intentions. It has been asserted privately, that this assembly has been convened for improper purposes: the purport of this meeting is, to put down everything like disorder in the state, and present a petition to his Majesty, stating that we conceive it would be for the benefit of our common country, and to preserve our connection with England, and testify our loyalty to our King, by having the Act of Union Repealed. This wretched act has prevented our manufactures from having a fair competition in the market; and were it repealed, it would be of the utmost advantage to our manufactures, and give a new impulse to our commerce. The repeal of that measure, he contended, would tend to the best means to secure the prosperity and happiness of Ireland. At the time the Act of Union was proposed, it was held out to the people of this country, that persons possessing great British capital, would come over from England and establish manufactures in Ireland, and particularly in Dublin, our trade would be increased—that we should have the education of the poor in Ireland properly attended to. The Roman Catholics were then told that their claims would be taken into consideration by the British Parliament, and attended to. The Roman Catholics were told that they had a right to expect more benefits from the interference of the British parliament, than they could expect to receive from an Irish parliament. Sir, we have now had the experience of ten years, since the passing of the act of Union, and let me ask, had the Irish manufactures had a fair competition in the British markets? Have the manufactures of Ireland been protected and encouraged, or have those of Dublin flourished as we were promised? Let me ask, have the poor of the land had their education properly attended to? Every man that is a well-wisher to the prosperity of Ireland, will answer me in the negative. Have the Roman Catholics met with any acknowledgment of the justice of their claims? If they have, let any man who now hears me, stand forward and avow it. On the contrary, the Catholics, in their rights, ever since the passing of the Act of Union, have stood, and do stand, at present, just where they began. They have endeavoured to get their claims acknowledged and acquiesced in; but are they not at this instant precluded from holding any superior rank in the army? I do not, sir, speak of administration, but I contend that the welfare and prosperity of Ireland depend upon the Repeal of the Act of Union. We, therefore, wish the parliament of Ireland to be restored to the same state it was in at the period of 1782. A parliament in Ireland is the only means of restoring the independence, promoting

the happiness of our country, securing its peace and prosperity. Sir, I feel myself inadequate to do ample justice to the business now before us ; I shall only say, I consider that the Repeal of the Act of Union would tend to the advantage of my country. My want of ability to do adequate justice to the great question, and I expect that this business will be fully spoken to by these honourable gentlemen who will take a part in the debates of this day, with whom this business originated. I trust, sir, that this day's proceedings will show to the world, collectively and individually, our loyalty, zeal, and attachment to our good king, and prove that our opinion is universal and unanimous, concerning the Act of Union. I mention, sir, that it is by such a Repeal only, that the peace and tranquillity of Ireland can be preserved. We should be indissolubly linked to Great Britain by such a Repeal, and by such a one alone ! I move, sir, that a committee of nine persons be appointed to prepare and draw up an address to his majesty, and to the imperial parliament, praying a Repeal of the Act of Union.

“ Ambrose Moore, Esq. seconded the motion.

“ The resolution was read accordingly, and agreed to without one dissenting voice.

“ A committee of nine gentlemen was then appointed to draw up and prepare the said petition. The names were, Mr. Hutton, Mr. Randal M'Donald, Mr. Ashenhurst, Mr. O'Connell, Mr. Moore, Mr. N. Mahon, Mr. Abbot, Mr. Harty, Mr. Farrell. The said committee appointed to prepare and draw up the petition, having prepared the same, they made their report to the assembly at large.

“ The petition to the king was then read and carried unanimously.

“ Mr. O'Connell declared that he offered himself to the meeting with unfeigned diffidence. He was unable to do justice to his feelings on the great national subject on which they had met. He felt too much of personal anxiety to allow him to arrange in anything like order, the many topics which rushed upon his mind, now, that after ten years of silence and torpor, Irishmen began again to recollect their enslaved country. It was a melancholy period, those ten years—a period in which Ireland saw her artificers starved—her tradesmen begging—her merchants become bankrupts—her gentry banished—her nobility degraded. Within that period domestic turbulence broke from day to day into open violence and murder—religious dissensions were aggravated and embittered—credit and commerce were annihilated—taxation augmented in amount and in vexation. Besides the

'hangings-off' of the ordinary assizes, we had been disgraced by the necessity that existed for holding two special commissions of death, and had been degraded by one rebellion—and, to crown all, we were at length insulted by being told of our '*growing prosperity*.' This was not the painting of imagination—it borrowed nothing from fancy—it was, alas, the plain representation of the facts that had occurred—the picture, in sober colours, of the real state of his ill-fated country. There was not a man present but must be convinced that he did not exaggerate a single fact: there was not a man present but must know that more misery existed than he had described. Such being the history of the first ten years of the Union, it would not be difficult to convince any unprejudiced man, that all those calamities had sprung from that measure. Ireland was favoured by Providence with a fertile soil, an excellent situation for commerce, intersected by navigable rivers, indented at every side with safe and commodious harbours, blessed with a fruitful soil, and with a vigorous, hardy, generous, and brave population; how did it happen then, that the noble qualities of the Irish people were perverted? that the order of Providence was disturbed, and its blessings worse than neglected? The fatal cause was obvious—it was the Union. That these deplorable effects would follow from that accursed measure, was prophesied. Before the Act of Union passed, it had been already proved that the trade of the country and its credit must fail as capital was drawn from it; that turbulence and violence would increase, when the gentry were removed to residence in another country; that the taxes should increase in the same proportion as the people became unable to pay them. But neither the argument nor the prophetic fears have ended with our present evils. It has also been demonstrated, that as long as the Union continues, so long must our misfortunes accumulate. The nature of that measure, and the experience of facts which we have now had, leave no doubt of the truth of what has been asserted respecting the future. But, if there be any still incredulous, he can only be of those who submit their reason to authority. To such person, the authority of Mr. John Foster, Chancellor of the Exchequer for Ireland, would probably be conclusive; and Foster has assured us, that final ruin to our country must be the consequence of the Union. I will not dwell, Mr. Sheriff, on the miseries of my country; I am disgusted with the wretchedness the Union has produced; and I do not dare to trust myself with the contemplation of the accumulation of sorrow that must overwhelm the land, if the Union be not repealed; I beg to call the attention of the meeting to

another part of the subject. The Union, sir, was a violation of our national and inherent rights—a flagrant injustice. The representatives whom we had elected for the short period of eight years, had no authority to dispose of their country for ever. It cannot be pretended that any direct or express authority to that effect was given to them; and the nature of their delegation excludes all idea of their having any such by implication. They were the servants of the nation, empowered to consult for its good—not its masters, to make traffic and dispose of it at their fantasy or for their profit. I deny that the nation itself had a right to barter its independence, or to commit political suicide; but when our servants destroyed our existence as a nation, they added to the baseness of assassination all the guilt of high treason. The reasoning upon which those opinions are founded is sufficiently obvious. They require no sanction from the authority of any name—neither do I pretend to give them any weight, by declaring them to be conscientiously my own; but if you want authority, to induce the conviction that the Union had *injustice* for its principle, and a *crime* for its basis, I appeal to that of his Majesty's present Attorney-General, Mr. Saurin, who, in his place in the Irish parliament, pledged his character as a lawyer and a statesman, that the Union must be a violation of every moral principle, and that it was a mere question of prudence whether it should not be resisted by force. I also appeal to the opinions of the late Lord High Chancellor of Ireland, Mr. George Ponsonby—of the present Solicitor-General, Mr. Bushe—and of that splendid lawyer, Mr. Plunket. The Union was, therefore, a manifest injustice—and it continues to be unjust at this day; it was a crime, and must be still criminal, unless it shall be ludicrously pretended that crime, like wine, improves by old age, and that time mollifies injustice into innocence. You may smile at the supposition, but in sober sadness you must be convinced that we daily suffer injustice; that every succeeding day adds only another sin to the catalogue of British vice; and that if the Union continues, it will only make crime hereditary, and injustice perpetual. We have been robbed, my countrymen, most foully robbed of our birthright, of our independence—may it not be permitted to us, mournfully, to ask, how this consummation of evil was perfected? for it was not in any disastrous battle that our liberties were struck down—no foreign invader had despoiled the land; we have not forfeited our country by any crimes—neither did we lose it in any domestic insurrection. No, the rebellion was completely put down before the Union was accomplished: the Irish militia and the Irish

yeomanry had put it down. How, then, have we become enslaved? Alas! England, that ought to have been to us as a sister and a friend—England, whom we had loved, and fought and bled for—England, whom we have protected, and whom we do protect—England, at a period, when out of 100,000 of the seamen in her service, 70,000 were Irish—England stole upon us like a thief in the night, and robbed us of the precious gem of our Liberty; she stole from us ‘that in which nought enriched her, but made us poor indeed.’ Reflect, then, my friends, on the means employed to accomplish this disastrous measure. I do not speak of the meaner instruments of bribery and corruption—we all know that everything was put to sale—nothing profane or sacred was omitted in the Union mart—offices in the revenue, commands in the army and navy, the sacred ermine of justice, and the holy altars of God were all profaned and polluted as the rewards of Union services. By a vote in favour of the Union, ignorance, incapacity, and profligacy, obtained certain promotion—and our ill-fated but beloved country was degraded to her utmost limits, before she was transfixed in slavery. But I do not intend to detain you in the contemplation of those vulgar means of parliamentary success—they are within the daily routine of official *management*: neither will I direct your attention to the frightful recollection of that avowed fact which is now part of history, that the *rebellion* itself was fomented and encouraged, in order to facilitate the Union. Even the rebellion was an accidental and a secondary cause—the real cause of the Union lay deeper, but is quite obvious. It is to be found at once in the *religious dissensions* which the enemies of Ireland have created, and continued, and seek to perpetuate amongst ourselves, by telling us of, and separating us into wretched sections and miserable subdivisions; they separated the Protestant from the Catholic, and the Presbyterian from both; they revived every antiquated cause of domestic animosity, and they invented new pretexts of rancour; but above all, my countrymen, they belied and calumniated us to each other—they falsely declared that we hated each other, and they continued to repeat the assertion, until we came to believe it; they succeeded in producing all the madness of party and religious distinctions; and whilst we were lost in the stupor of insanity, they plundered us of our country, and left us to recover at our leisure from the horrid delusion into which we had been so artfully conducted.

Such then were the means by which the Union was effectuated. It has stript us of commerce and wealth; it has degraded us, and

deprived us not only of our station as a nation, but even of the name of our country ; we are governed by foreigners—foreigners make our laws, for were the one hundred members who nominally represent Ireland in what is called the imperial parliament, were they really our representatives, what influence could they, although unbought and unanimous, have over the five hundred and fifty-eight English and Scotch members ? But what is the fact ? Why that out of the one hundred, such as they are, that sit for this country, more than one-fifth know nothing of us, and are unknown to us. What, for example, do we know about Andrew Strahan, printer to the king ? What can Henry Martin, barrister-at-law, care for the rights or liberties of Irishmen ? Some of us may, perhaps, for our misfortunes, have been compelled to read a verbose pamphlet of James Stevens ; but who knows anything of one Crile, one Hughtan, one Cackin, or of a dozen more whose names I could mention, only because I have discovered them for the purpose of speaking to you about them ; what sympathy can we, in our sufferings, expect from those men ? What solicitude for our interests ? What are they to Ireland, or Ireland to them ? No, Mr. Sheriff, we are not represented—we have no effectual share in the legislation—the thing is a mere mockery ; neither is the imperial parliament competent to legislate for us—it is too unwieldy a machine to legislate with discernment for England alone ; but with respect to Ireland, it has all the additional inconvenience that arise from want of interest and total ignorance. Sir, when I talk of the utter ignorance, in Irish affairs, of the members of the imperial parliament, I do not exaggerate or mistake ; the ministers themselves are in absolute darkness with respect to this country. I undertake to demonstrate it. Sir, they have presumed to speak of the growing prosperity of Ireland—I know them to be vile and profligate—I cannot be suspected of flattering them—yet, vile as they are, I do not believe they could have had the audacity to insert in the speech, supposed to be spoken by his majesty, *that expression*, had they known that, in fact, Ireland was in abject and increasing poverty. Sir, they were content to take their information from a pensioned Frenchman—a being styled Sir Francis D'Ivernois, who, in one of the pamphlets which it is his trade to write, has proved, by excellent samples of vulgar arithmetic, that our manufactures are flourishing, our commerce extending, and our felicity consummate. When you detect the ministers themselves in such gross ignorance, as, upon such authority, to place an insulting falsehood as it were, in the mouth of our revered sovereign, what

think you can be the fitness of nine minor imps of legislation to make laws for Ireland. Indeed, the recent plans of taxation sufficiently evince how incompetent the present scheme of parliament is to legislate for Ireland. * Had we an Irish parliament, it is impossible to conceive that they would have adopted taxes at once oppressive and unproductive—ruinous to the country, and useless to the crown. No, sir, an Irish parliament, acquainted with the state of the country, and individually interested to tax proper objects, would have, even in this season of distress, no difficulty in raising the necessary supplies. The loyalty and good sense of the Irish nation would aid them; and we should not, as now, perceive taxation unproductive of money, but abundantly fertile in discontent. There is another subject that peculiarly requires the attention of the legislature; but it is one which can be managed only by a resident and domestic parliament—it includes everything that relates to those strange and portentous disturbances which, from time to time, affright and desolate the fairest districts of the island. It is a delicate and difficult subject, and one that would require the most minute knowledge of the causes that produce those disturbances, and would demand all the attention and care of men, whose individual safety was connected with the discovery of a proper remedy. I do not wish to calculate the extent of evil that may be dreaded from the outrages I allude to, if our country shall continue in the hands of foreign empirics and pretenders; but it is clear to a demonstration, that no man can be attached to his king and country, who does not avow the necessity of submitting the control of this political evil, to the only competent tribunal—an Irish parliament. The ills of this awful moment are not confined to our domestic complaints and calamities. The great enemy of the liberty of the world, extends his influence and his power from the Frozen Ocean to the Straits of Gibraltar. He threatens us with invasion from the thousand ports of his vast empire; how is it possible to resist him with an impoverished, divided, and dispirited empire. If then you are loyal to your excellent monarch—if you are attached to the last relict of political freedom, can you hesitate to join in endeavouring to procure the remedy for all your calamities—the sure protection against all the threats of your enemy—the *Repeal of the Union*. Yes, restore to Irishmen their country, and you may well defy the invader's force; give back Ireland to her hardy and brave population, and you have nothing to dread from foreign power. It is useless to detain the meeting longer, in detailing the miseries that the Union has produced,

or in pointing out the necessity that exists for its Repeal. I have never met any man who did not deplore this fatal measure, which has despoiled his country; nor do I believe that there is a single individual in the island, who could be found even to pretend approbation of that measure. I would be glad to see the face of the man, or rather of the beast, who could dare to say he thought the Union wise or good—for the being who could say so, must be devoid of all the feelings that distinguish humanity. With the knowledge that such were the sentiments of the universal Irish nation, how does it happen that the Union had lasted for ten years? The solution of the question was easy. The Union continued only because we despaired of its Repeal. Upon this despair alone had it continued—yet what could be more absurd than such despair? If the Irish sentiment be but once known—if the voice of six millions be raised from Cape Clear to the Giants' Causeway—if the men most remarkable for their loyalty to their king, and attachment to constitutional liberty, will come forward as the leaders of the public voice, the nation would, in an hour, grow too great for the chains that now shackle you, and the Union must be repealed without commotion and without difficulty. Let the most timid amongst us compare the present probability of repealing the Union, with the prospect that in the year 1795 existed of that measure being ever brought about. Who, in 1795, thought an Union possible? Pitt dared to attempt it, and he succeeded; it only requires the resolution to attempt its Repeal—in fact, it requires only to entertain the hope of repealing it, to make it impossible that the Union should continue; but that pleasing hope could never exist, whilst the infernal dissensions on the score of religion were kept up. The Protestant alone could not expect to liberate his country—the Roman Catholic alone could not do it—neither could the Presbyterian—but amalgamate the three into the Irishman, and the Union is repealed. Learn discretion from your enemies—they have crushed your country by fomenting religious discord—serve her by abandoning it for ever. Let each man give up his share of the mischief—let each man forsake every feeling of rancour. But, I say not this to barter with you, my countrymen—I require no equivalent from you—whatever course you shall take, my mind is fixed—I trample under foot the Catholic claims, if they can interfere with the Repeal; I abandon all wish for emancipation, if it delays that Repeal. Nay, were Mr. Perceval, to-morrow, to offer me the Repeal of the Union, upon the terms of re-enacting the entire penal code, I declare it from my heart, and in the presence of my God, that I would most

cheerfully embrace his offer. Let us then, my beloved countrymen, sacrifice our wicked and groundless animosities on the altar of our country—let that spirit which heretofore emanating from Dungannon spread all over the island, and gave light and liberty to the land, be again cherished amongst us—let us rally round the standard of Old Ireland, and we shall easily procure that greatest of political blessings, an Irish King, an Irish House of Lords, and an Irish House of Commons.—(Long-continued applause.)

“After Mr. O’Connell had concluded his speech, Sir James Riddall observed, that calumny or misrepresentation might be exercised upon Mr. O’Connell’s expression of an Irish king, and he, therefore, was happy to give Mr. O’Connell an opportunity of doing justice to our most gracious sovereign. Mr. O’Connell ardently availed himself of the occasion to pay a very grateful tribute to the virtues and patriotism of his majesty, and observed, that if ever a monarch existed, abounding in every great and good qualification, calculated to make his people happy, that monarch was George the Third.

“Sir James Riddall then put the question separately, that the address and petition should stand the address and petition of the meeting, which was carried unanimously.

“Mr. Hutton then proposed that a committee of twenty-one be chosen as a standing committee to co-operate with the other meetings throughout the kingdom, which was unanimously agreed to, and a committee was appointed accordingly.

“Nicholas Mahon rose, and spoke to the following effect:—Mr. Sheriff, the respect I feel for the opinions of several gentlemen present, whose liberality I respect, and by whose exertions this meeting (which I trust will produce the happiest result), has been called, has induced me to undertake the task of subscribing to your two resolutions, which I hold in my hand, expressive of approbation of the conduct of his Grace the Duke of Richmond, since his appointment to the government of this country. I beg leave, in making this motion, to be distinctly understood as not approving of the measures of the administration to which his grace is attached, which I consider as most hostile to the welfare of those countries; but no one can deny his grace the possession of many amiable social virtues, and that he wields the sword of power in mercy and clemency. Without further preface, I move you, sir, that those resolutions be now read.

“Sir James Riddall, high sheriff, having quitted the chair, and

Robert Shaw, Esq., (now Sir R. Shaw, Bart.,) being called thereto, moved, that the thanks of this assembly be presented to the worthy high sheriff for his upright and impartial conduct in the chair. He said the conduct of our worthy high sheriff was his best eulogium for complying with the wishes of his fellow-citizens.

“The resolution of thanks to the high sheriff was seconded by Counsellor M’Nally, who said—I feel myself proud to bear testimony to the upright and impartial conduct of the high sheriff, whom he had known many years as a respectable citizen and trader in Dublin. In his public and private capacity, he has acted in such a manner, as reflects the highest honour on himself. He said, the petition to the king met his warmest approbation. He said, the fatal effects of the Union were demonstrated by the great number of commissions of bankruptcy, which had, since the passing of the Act of Union issued; and, within the last two years, the act of insolvency, which has affected the credit of the traders of this city. If any person was to inspect the books of the shopkeepers of this city, they would see the effect of the general calamity of the times. He said the king of England was, by the common law of the land, from the time of King Henry II., King of Ireland. He said there was no man who loves his country that would not exert every constitutional and legal means to attain a Repeal of the Act of Union.

“Sir James Riddall having left the chair, and Robert Shaw, Esq., M.P., being called thereto, the thanks of the meeting were unanimously voted to Sir James, for his independent and constitutional conduct in calling the meeting, and for the excellent manner in which he had presided in the chair—and that a piece of plate, value one hundred guineas, should be presented to him, which was carried unanimously.

“Mr. Willis rose to express his hearty concurrence to the last resolution; he said that when the present high sheriff was dead and rotten in his grave, his grandchildren might say, how impartially and properly he discharged his duty.

“Sir James Riddall returned the assembly his thanks for the honour conferred on him this day by his fellow-citizens, and said that nothing could ever induce him to sell his fellow-citizens. He thanked the assembly for their very proper conduct this day.”

We shall only add here one passage from a speech of a member of the corporation, Mr. Heffernan (on another occa-

sion, in the year 1810,) which were well spoken at any of our meetings now :—

“ *Were we to contemplate the Union as a measure impossible to be repealed, it would be at once to reduce this country to despair; it would be to deprive us of our only hope; for, HOWEVER DIFFICULT, HOWEVER INSURMOUNTABLE IT MAY APPEAR, YET THE IDEA OF BEHOLDING A RESIDENT PARLIAMENT AMONGST US, IS CHERISHED BY EVERY HONEST IRISHMAN. HEAVEN KNOWS IF WE HAVE NOT HAD ENOUGH OF A FOREIGN ONE! We once thought it would be impossible to carry the Union; in that opinion we deceived ourselves—it was carried. We now feel the lamentable effects of it; YET, WHAT WAS LOST BY CORRUPTION, CANNOT VIRTUE AND PATRIOTISM RESTORE? IF THIS COUNTRY BE UNANIMOUS IN DEMANDING A RESTORATION OF THAT INDEPENDENCE, IT IS IMPOSSIBLE TO DOUBT BUT SUCH DEMAND MUST BE SUCCESSFUL.*”

. What truth, what power, what justice were there not in these words—words of a Protestant—we believe of an Orangeman—but eminently words of an Irishman! And if these noble aspirations had likelihood of success before them, in that day of division and prostration of the public mind in Ireland; what may not be the hopes—nay, the certainty entertained in this our day, when the national mind has been so aroused, and, thank heaven for it, is beginning to be so united. .

. The Irish breast in which these words will not awaken an echo, must be the breast of a dastard. .

† The editorial articles which appeared in the newspaper we have quoted from, during the summer and autumn, and, indeed, the winter months of 1810, would do credit to the patriotism and talent even of the present proprietor of the *Freeman*. There was an energy and a sustained vigour pervading them which, independent of the similarity of the present struggle, render their perusal interesting and impressive, even now, and must have made their effect very considerable at the time.

It is, alas! in Ireland, “an old tale, and soon told,” how the mustering of national sentiment in that year, full of strong

and high hope, and cheering promise as it was, eventually came to nought, and was dissipated as utterly as the fog-drift before the breeze. *

• It received its first blow from the diversion created in the public mind, by the finally decisive manifestations of George the Third's insanity. The intrigues, negotiations, and manœuvres that that event, and its necessary consequence, the constructing of a Regency, gave birth to, distracted men's attention, and for a time created an utter confusion among the various parties in both kingdoms. But all parties in England, however they might dispute and divide amongst themselves, had too strong an interest in preventing a recurrence of the approach to unity and nationality of feeling, which had been witnessed in Ireland, on the subject of Repeal, to allow of any very long suspension of the old tactics of misgovernment, in the latter unfortunate country. To break up the incipient coalition of Protestants and Catholics, every means, however base, were accordingly most unscrupulously put in operation. •

• Party and religious differences were again appealed to. Bigotry was inflamed—selfishness was alarmed and irritated—in short, all the old means of dividing and disuniting were resorted to, which, in hateful alternation with cruel and tyrannous violence, have marked the whole career of English administration in this unhappy land! And these execrable means succeeded then, as often before and more than once since, only too fatally and surely. •

• It cannot rightfully be considered a desire on our parts to revive irritating remembrances, if we say that the Catholic party were not to blame for this disaster. It is not claiming for them any very excessive degree of public virtue to say so; for it undoubtedly was their interest that factions and parties in Ireland should intermingle and coalesce. By the regeneration of their country, their condition should inevitably be raised and advanced. ✕

• The experience of the period from 1782 to 1800 had shown that a constitution extended but to a party in the state, which, like an edifice erected on too narrow a foundation, would fall in ruin before the first tempest. The admission, therefore, of the Catholics to entire political, social, and religious equality,

would, in the event of Ireland's recovery of her birthright, be a matter of necessity, if not of good will. .

. The Catholics had, thus, every reason to desire a union amongst Irishmen of all creeds and classes; and, having every reason, of course spared no effort that could accomplish this object, and carefully avoided everything that might tend to obstruct it. It is, therefore, on the other classes of Irishmen that the blame lies of the unsuccessful national movement of 1810..

. The Catholics of Ireland have some right to address to those of their Protestant fellow-countrymen who yet hold off from the national struggle, a mild but firm expostulation. They may remind them that Ireland's right of self-legislation was established, secured, and most frequently vindicated in Catholic times. The Catholic parliament of Kilkenny, in 1642, and that of King James the Second, repeated and re-asserted Ireland's right in this respect, against the encroachments which, in the course of time, England had made by the statute generally known as "Poyning's Law." .

. When the Catholics sunk out of the constitution, after the establishment in Ireland of the revolutionary government and the blackhearted infraction of the Limerick treaty, they left a state weakened indeed, and distracted by long-continued civil dissensions (for which, however, *they* were not responsible); but still *a state* in all the rights and prerogatives of such. Ireland had her own parliament fully and regularly constituted and established—she had her own laws, made according to the particular emergencies of her condition—she had her commerce free, at least with foreign countries—she had her manufactures unfettered, and giving those signs of genial and hearty vitality, despite the wasting effects of civil wars, that the historian Barlow thus records:— .

. "From the establishment of the act of settlement and explanation (after Charles the Second's restoration), Ireland rapidly increased in wealth and improvement, to the admiration and envy of her neighbours, till she was again laid waste by the revolutionary wars under William the Third; and even from this calamity she was recovering with such quickness, that in 1698 the balance of trade in her favour amounted to four or five hundred thousand pounds."—Vol. i. p. 290.

‘ In short, she was *a nation* ; though a distracted, a divided, and a sorely-oppressed one. .

‘ Then followed a century of degradation ; from which at last the Catholics emerged, though but for a brief period, in 1779–1782, when they found their country maimed in her legislative rights, crippled in her commerce, restricted grievously, cruelly, most unjustly in her manufactures. Not allowing their minds to dwell on the fact, that this, her low condition, was but the result of concessions made to England by those of the dominant creed, in order to gain support for an unchristian ascendancy, the Catholics lent their aid to change the face of matters, and then went back quietly to their chains, to await freedom from the gratitude of their Protestant fellow-countrymen.

When at length the Irish Catholics (thanks to their own efforts) were finally restored to the constitution, they found their country nearly altogether robbed of her manufactures and commerce, bankrupt in monies, and long plundered of that which alone could give a hope of her being upraised again—her native parliament.

“ Protestants of Ireland,” they *are* entitled to say, “ these losses, sufferings, disasters of our common country came upon her while you, only you, had charge and control of her interests. Let us forget the past—let us forget all—even all you, as a party in the state, have inflicted on us, with the aid of your English allies—and let us now, once for all and for ever, join hearts and hands to work out the common good of all—the restoring Ireland to her rights, privileges, and powers as a nation !”

‘ Returning from this pardonable digression to our subject, we will not close our notice of the year 1810 without inserting two documents of public interest and importance in that year. The first, the declaration of the Catholic bishops of Ireland, called forth by the floating rumours of a “ veto ;” of “ *securities*” to be required by government ; of a plan of stipends for the Catholic clergy, and other such miserable schemes and devices, rife among the so-called statesmen of England to the present hour. The second is the Catholic petition of that year, drawn up by Mr. O’Connell :—

“ At a meeting of the Roman Catholic Prelates, assembled in

Dublin, on the 24th February, 1810, the following resolutions were unanimously adopted:—

“Resolved—‘That it is the undoubted and exclusive right of Roman Catholic bishops to discuss and decide on all matters appertaining to the doctrine and discipline of the Roman Catholic Church.’

“Resolved—‘That we do hereby confirm and declare our unaltered adherence to the resolutions unanimously entered into at our last general meeting, on the 14th September, 1806.’

“Resolved—‘That we are convinced that the oath of allegiance framed and proposed by the legislature itself, and taken by us, is not only adequate security for our loyalty, but that we know of no stronger pledge than we can possibly give.

“Resolved—‘That having disclaimed upon oath all right in the pope, or any other foreign potentate to interfere in the temporal concerns of the kingdom, an adherence to the practice observed in the appointment of Irish Roman Catholic bishops cannot tend to produce an undue or mischievous exercise of any foreign influence whatsoever.’

“Resolved—‘That we neither seek nor desire any other earthly consideration for our spiritual ministry to our respective flocks, save what they may, from a sense of religion and duty, voluntarily afford us.’

“Resolved—‘That an address, explanatory of these our sentiments, be prepared and directed to the Roman Catholic clergy and laity of Ireland, and conveying such further instruction as existing circumstances may seem to require.’

“To the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled:

“We, whose names are hereunto subscribed, on behalf of ourselves and of others, his Majesty's subjects, professing the Roman Catholic religion in Ireland, humbly beg leave to represent to this Honourable House—

“That we, your petitioners, did, in the years 1805 and 1808, humbly petition this honourable house, praying the total abolition of the penal laws, which aggrieve the Catholics of Ireland.

“We now feel ourselves obliged, in justice to ourselves, our families, and our country, once more to solicit the attention of this honourable house to the subject of our said petition.

“We state, that the Roman Catholics constitute the most numerous and increasing portion of the inhabitants of Ireland, comprising an immense majority of the manufacturing, trading, and agricultural interests, and amounting to at least four-fifths of the Irish population; that they contribute largely to the exigencies of their country, civil and military; that they pay the far greater part of the public and local taxes; that they supply the armies and navies of this empire with upwards of one-third part in number of the soldiers and sailors employed in the public service; and that, notwithstanding heavy discouragements, they form the principal constituent part of the strength, wealth, and industry of Ireland.

“Yet such is the grievous operation of the penal laws of which we complain, that the Roman Catholics are thereby not only set apart from their fellow-subjects, as aliens in this their native land, but are ignominiously and rigorously proscribed from almost all situations of public trust, honour, or

emolument, including every public function and department, from the houses of legislature, down to the most petty corporations.

“We state, that whenever the labour of public duty is to be exacted and enforced, the Catholic is sought out and selected; where honours or rewards are to be dispensed, he is neglected and contemned. .

“Where the military and naval strength of the empire is to be recruited, the Catholics are eagerly solicited, nay compelled, to bear at least their full share in the perils of warfare, and in the lowest ranks; but when preferment or promotion (the dear and legitimate prize of successful valour) are to be distributed as rewards of merit, no laurels are destined to grace a Catholic's brow, or fit the wearer for command.

“We state, thus generally, the grievous condition of the Roman Catholics of Ireland, occasioned solely by the fatal influence and operation of the penal laws, and though we forbear to enter into greater detail, yet we do not the less trust to the influence of reason and justice (which eventually must prevail) for effecting a full and deliberate inquiry into our grievances, and accomplishing our effectual relief.

“We do beg leave, however, most solemnly, to press upon the attention to this honourable house, the imminent public dangers which necessarily result from so inverted an order of things, and so vicious and unnatural a system of legislation—a system which has long been the reproach of this nation, and is unparalleled throughout modern Christendom.

“And we state it as our fixed opinion, that to restore to the Catholics of Ireland, a full, equal, and unqualified participation of the benefits of the laws and constitution of England, and to withdraw all the privations, restrictions, and vexatious distinctions which oppress, injure, and afflict them in their country, is now become a measure not merely expedient, but absolutely necessary—not only a debt of right due to a complaining people, but perhaps the last remaining resource of this empire, in the preservation of which we take so deep an interest.

“We therefore pray this honourable house to take into their most serious consideration the nature, extent, and operation of the aforesaid penal laws, and by repealing the same altogether, to restore to the Roman Catholics of Ireland those liberties so long withheld, and their due share in that Constitution, which they, in common with their fellow-subjects of every other description, contribute by taxes, arms, and industry, to sustain and defend.

“And your petitioners will ever pray.”

The year 1811 witnessed a considerable activity in the Catholic agitation. Amongst other of the internal controversies of the “Catholic Committee,” there had been a revival of the old dispute as to the propriety of continuing to petition. The decision had been for so continuing; and the late Earl of Fingall was named to be the bearer of the petition to England. A meeting of the 29th December, 1810, to appoint some gentlemen to accompany him, was adjourned to the 5th January, when the following short debate took place, which we give here, to show the manner in which the agitation was being carried on, and the part Mr. O’Connell was taking:—

"CATHOLIC COMMITTEE.

* "Saturday, January 5.—Owen O'Connor, Esq., in the chair.

"Mr. Hay read the resolutions of the last meeting; the first of which related to the examination of grievances; the second, being the order of the day, was as follows:—

"Resolved—'That the consideration of appointing proper persons in aid of the Earl of Fingall, in the charge of the petition to England, be adjourned to Saturday, the 5th of January, 1811.'

"Mr. O'Connell informed the Committee that considerable progress had been made in the investigation of the existing penal laws, and the oppressive consequences resulting therefrom. As the statement occupied nearly three hundred folio pages, it would not, from its voluminous nature, be perfectly ready for their inspection before Saturday next. Notice would then be given to have it printed, in order to place it in the hands of the members of both houses; and it would be a subject of consideration with the committee, whether the statement should be confined to the members of parliament alone, or obtain a more general publicity. He had no hesitation to say, that in his opinion, the preferable mode would be to have it published in the usual manner, in order that the people of the United Kingdom might be enabled to entertain no doubt, whatever, on the subject. For it had been said that the people suffer not from any actual or positive oppression, but because they are told so. He had no difficulty in saying that this was an evil they ought to encounter, and the importance of informing every person in England of the real condition of the Catholics, should supersede any fastidious notions of delicacy or forbearance. The committee would, therefore, consider, whether they should agree to the report at all; and next, what degree of publicity they would give to it. Mr. O'Connell adverted to the propriety of calling an aggregate meeting of the Catholics, for the purpose of considering the expediency of an address to the Prince of Wales. The intended Regency, he said, would be either restricted or unlimited—if unlimited, it was obvious that an address would be highly necessary; if it were restricted, and Mr. Percival, as a second Oliver Cromwell, be appointed Lord Protector of the Realm, they ought, at least, to make the tender of their hearts and hands to his Royal Highness.

"Mr. Plunkett called Mr. O'Connell to order. He said, the words just made use of would materially injure the Catholic interest, and alluded, in pointed terms, to the newspapers having taken advantage of the report of their debates. He was proceeding

to inquire into the origin of those reports, when it appeared to be the general sense of the meeting, that the words alluded to were perfectly consistent with order. Mr. O'Connell proceeded. He said, it was manifest, he was quite correct in what he had advanced ; but the gentleman had been calling to order, by his own admission, persons who were not speaking. Mr. O'Connell concluded by an eloquent repetition of his attachment and devotion to the Prince of Wales.

“Mr. Hussey moved that a report of their proceedings should not be published.

“Mr. Costigan conceived, that as their proceedings were regular, constitutional, and right, there ought to be no objection to their appearing before the public.

“Mr. O'Connell protested against the converting of their meeting into a secret tribunal. They were not responsible for the accuracy of the reports, nor were they capable of interdicting them. If they shut their door, government might charge them with being engaged in some dark transaction, or secret cabal. He entreated them not to suffer it to be said, that they shrunk from the light of the day. He would even wish, that the little ebullitions of passion, which sometimes prevailed among them, should go abroad, for if they related to the public, it was proper that the public should know them, and if themselves, it would have the good effect of teaching them dignity and decorum, by avoiding the repetition of them. It was not at this moment they should conceal their proceedings, when the foulest calumnies were uttered against them, and when, for the first time in a series of years, persons were hired for the purpose of promoting their propagation.

“Mr. Finn said, the argument in favour of the publication of their proceedings, certainly outweighed those which might be urged against it. He observed, that one of the newspapers had endeavoured to throw an odium on their proceedings, by printing the word ‘*secret*.’

“Mr. Hussey said, he had been induced by several respectable gentlemen to make the present motion. It was his wish to distinguish the frivolous from the more important matter of their debate, and to move that the latter only should meet the public eye. They were, he said, reduced to this awkward dilemma, that if their speeches were published, they were said to be inflammatory ; and if they were suppressed, the committee was then engaged in some dark transaction. Between the two calumnies he should succumb to the former, and withdraw his motion.

"Mr. Costigan called the attention of the committee to the business of the day, which was to consider the propriety of appointing delegates to accompany Lord Fingal in the charge of the petition to England. He said he could not see the propriety of sending any person, whatever, with Lord Fingal—if he did, he certainly would concur with the gentleman who proposed it. It was understood there was to be no Veto, no condition, 'no mincing of emancipation;' and, therefore, six or seven gentlemen, accompanying Lord Fingal would be no further use to his lordship, than showing him the way to the members' houses, which it was presumed he knew very well without them. It required no particular talent or assistance to say, here is the petition of five millions of persons, who pray for complete emancipation, and have nothing to concede.' Mr. Costigan expatiated on this part of the subject, and said, the gentlemen accompanying Lord Fingal might probably have some cunning questions put to them by Lord Grenville, and all the benefit they would derive from their mission, would be, to be sent back insulted and calumniated. With respect to the address, he said, it ought, certainly, to emanate from the people, and an aggregate meeting should be accordingly convened. He expressed his apprehension, that with a limited regency the prince could effect nothing in their favour. Some opposition appearing to this sentiment, Mr. Costigan regretted he was not so sanguine as others on this subject, and concluded by moving, as an amendment—'that the consideration of appointing proper persons in aid of the Earl of Fingal, in the charge of the petition to England, be adjourned for another fortnight.' This amendment was seconded by Mr. O'Connell, which, after a long and animated debate, was carried by a majority of three."

The adjourned meeting we also give, not because of any important result there come to, but because the discussion at it tends further to elucidate the objects with which we have given the former extract. It will be seen that Mr. O'Connell's leadership was virtually established, though not in words acknowledged.

"CATHOLIC COMMITTEE.

"Saturday, January 19.—The Hon. Charles Ffrench, in the Chair.

"Mr. O'Connell announced to the committee his intention of moving that the subjects that were intended for this day's discussion, namely the consideration of addressing his Royal Highness the Prince of Wales,

and also, that the appointment of an additional delegation, be postponed for a fortnight. He said, that at the present moment, they were not apprized, whether a regency had actually taken place or not; in this state of uncertainty, he conceived, that any delegation to England would be not only unnecessary, but worse than useless, for it could only tend to expose the delegates to disrespect and obloquy. With that view of the case, he should propose an adjournment of the delegation question. With respect to the address, he observed, that circumstances were still in the same state. The proceedings on the regency had been delayed by ministers from interested motives, which might probably urge them to continue the suspense for three months longer. By postponing the consideration of this question for a fortnight, they would have an opportunity of knowing the real situation of affairs; he was, at the same time, ready to admit, that they ought to be among the foremost in expressing their zealous attachment to his royal highness. Mr. O'Connell adverted to the Corporation of Dublin, who, he said, could see no virtue in the prince when out of power, but as soon as he was likely to obtain it, would adorn him with all imaginable graces. When that moment should arrive, he would become ornamental in their sight, and while the rays of glory could shed the light of emolument, the lowest curs in the corporation would be found turning round and fawning on him.

"Mr. O'Connell concluded with an eloquent assurance of his royal highness's recollection of the former services of the people of Ireland; and moved, that the consideration of an address, and the appointment of an additional delegation be postponed for a fortnight.

"Mr. Hussey seconded the motion.

"Mr. Cassin, adverted to the subject of an aggregate meeting, to consider the propriety of continuing or withdrawing the petition, in consequence of the recent changes in public affairs; and observed, that circumstances might arise, which would obviate the necessity of such a measure. He said, a clause might be enacted by parliament, to prevent any extension of benefit to Dissenters on the part of the Regent, similar to that which took place in 1789, during the administration of Mr. Pitt. He supposed, that in the event of Mr. Wilberforce, or any other member proposing such a clause upon the present occasion, Mr. Perceval would not be backward in promoting its adoption; and in that case, the expediency of presenting their petition, would remain in full force. He conceived, at all events, that the convening of an aggregate meeting, at the present moment,

would be premature, and recommended the Catholics to pause until they should hear his royal highness's speech in parliament.

"Mr. O'Gorman said, in his opinion, a moment should not be lost in forwarding the petition, which he considered as not incompatible with the address. The petition, as well as the address, would give his royal highness an opportunity of showing his attachment to the Catholics of Ireland, and he (Mr. O'Gorman) would accordingly wish to have both the one and the other on the table of the House of Commons. If circumstances should oblige the prince to give an unfavourable answer, there would be a paramount necessity of presenting the petition, if it were only for the purpose of promoting discussion, which must always have a favourable tendency to their cause. In the event of a favourable answer, by presenting their petition, they will have only done their duty, and the prince's ministers will have an opportunity of anticipating its merits.

"The question of adjournment was then loudly called for. Mr. Keogh, jun., begged leave to ask Mr. O'Connell, whether it was his intention, that the consideration of an address to the Prince of Wales should be discussed by this committee, or by an aggregate meeting of the Catholics.

"Mr. O'Connell said, it was not for him to lead the public opinion anywhere. He should subscribe to whatever may be the determination of the committee, but at present he could give no decided opinion on the subject.

"Mr. Keogh said, he should always happy to coincide with Mr. O'Connell, and was desirous that no division should take place on the present occasion; but he should be under the necessity of opposing the motion of adjournment if a distinct answer were not given to his question. He wished it to be understood that the committee having been appointed to prepare the petition only, had no right to address the Prince of Wales, which was an act to which the people were competent. The sense of the people, he conceived, ought to be taken on both questions, that of petition and of address, in consequence of the strange occurrences that had happened since the resolution of petitioning had passed. He hoped the committee were not afraid to face their constituents. He said he wished not to oppose Mr. O'Connell in anything he should offer, and was disposed to agree to the present motion of adjournment, provided it appeared that no attempt was to be made to escape from the people.

"Mr. O'Gorman was of opinion, that the consideration of matters referred to by Mr. Keogh, should be deferred for a fortnight. He said it did not appear, from any resolution before them, whether it was intended that the address should emanate from the people or

from the committee. He differed from Mr. Keogh's position *in toto*, and contended that the committee had an undoubted right to address the Prince of Wales, though he was willing to acknowledge that the preference should be given to the convening of an aggregate meeting for that purpose; and as to the question of petition, he considered it would be ungracious to go back to the people and desire them to re-consider what they had already fully entrusted to the committee.

"Mr. Clinch said, that Mr. O'Gorman appeared to mistake the principle of the present discussion. That gentleman had stated that the committee was competent to call an aggregate meeting for the purpose of addressing the Prince of Wales, but thinks, at the same time, that to refer to the people the subject of petitioning parliament, would be ungracious and improper—as if the committee could bind the people, in this latter point, by the resolution which was passed in November last. It had, however, been distinctly stated by Mr. Keogh that new occurrences had taken place since that period; and there could be no doubt, therefore, that the committee, as trustees for the Catholics, were perfectly warranted in going back to their constituents, to consult with them on the propriety of petitioning, under the altered circumstances of the country. But could anything be more absurd than that the committee should say, 'we will petition and you can't prevent us?' With respect to the address, it might be justly asked, why it did not come with the same pomp and form as the petition? and in every view of the subject he was of opinion, that the people ought, under the present peculiar circumstances of the country, to be again consulted. If an aggregate meeting be allowed to consider the propriety of an address to the Prince of Wales, they would necessarily connect it with the subject of petitioning. The principle argument to be deduced from the present inquiry was, that the setting up of a separate jurisdiction would be both uncandid and injudicious.

"Mr. Hussey really hoped that there would have been an unanimous concurrence in the propriety of adjourning. The discussion of the present subject ought to be deferred for a fortnight, when Mr. Keogh would doubtless receive a satisfactory answer to his questions. He would just mention that if any member was afraid to show his face to an aggregate meeting, he ought never to show it in public again. In order to procure unanimity, he thought it would be advisable to take measures for convening aggregate meetings all over Ireland. He would inform Mr. Keogh, that if any plan could be adopted to collect the Catholics together in one place, he would

gladly concur in it; but he conceived it would be far more dignified, in preparing an address, to obtain a deputation of ten persons from every county in Ireland.

“Mr. Keogh said he would not be puzzled out of his question, and, therefore, persisted in calling for a distinct answer to it. He wished to have it fairly understood whether, in the altered state of public affairs, the committee would press forward the petition without consulting the people.

“Dr. Drumgoole and Mr. Costigan addressed the chair nearly at the same time, but the chairman having decided in favour of the latter gentleman, he said, that to what had fallen from Mr. Hussey, he would just observe, that it was from aggregate meetings that every advantage to the Catholics had originally emanated; and it was in the metropolis alone that such a meeting could acquire any importance. He pledged himself, in alluding to Mr. Keogh's question, that in a fortnight an aggregate meeting should be called, if necessary, in spite of any opposition from the committee.

“Dr. Drumgoole would make one observation to what appeared to him to be somewhat extraordinary. He alluded to the putting of questions across the table, and the calling on individuals, by name, to answer them. It seemed to him to resemble the opposition in parliament, and would lead to an idea that the prime minister reigned among them for the purpose of regulating their proceedings, He would beg leave to inform Mr. Keogh that the committee disclaimed any such ascendancy; and had no intention of instituting either leaders or followers among them for the government of their conduct. The committee had a right, in his opinion, to address the prince; but he should not now enter, at length, into the reasons of that opinion; having been appointed to manage Catholic affairs, they were, he presumed, competent to undertake any measure they should, in their discretion, think conducive to the interests of the body at large. (Cry of no, no.)

“Mr. O'Connell concurred with Dr. Drumgoole, against any opinion going forth, that the Catholic affairs had fallen so low, as to render it necessary to make him the director of them. He proceeded to say, that the discussion they had entered into was irrelevant; for, as the Catholics had not a regular constitutional charter for assembling together, it was evident that an address to the Prince of Wales would not derive its importance from any meeting, but would carry its respectability by the number of signatures annexed to it. He disowned the insinuations that had been thrown out, of want of candour in the committee, a virtue which he hoped the Catholics

would never stand in need of; but he conceived it would evince a want of candour to affect the convention of an aggregate meeting, and make it a stalking horse for other purposes than what were specified.

“Mr. Keogh said that he had put the question individually to Mr. O’Connell, solely for the purpose of convenience. He thought that gentleman’s motion unexceptionable; and if he had explained himself in such a manner as to afford reason to expect that the people should be appealed to, he (Mr. K.) would not have originated the present discussion. Mr. K. would, at all events, vote for the adjournment, and hoped, in the meantime, he should hear of some gentleman of consequence convening the Catholics; and he considered their present chairman as peculiarly competent to effect that object.

“The question of adjournment was then put and carried unanimously.

“Mr. O’Connell gave notice of a motion relative to the propriety of submitting to the sub-committee the preparing of an address to the Protestants of Ireland. It had been alleged, and the notion had gone abroad, that the Catholics stifled every feeling of gratitude, and recollected only the evil which operated against them. He would, therefore, wish to have a statement laid before the Protestants, showing them that the benefit of the Catholic would be beneficent to all, and the necessity that existed, for their own safety, of co-operating in the attainment of their mutual advantage; a statement which should inform them that the Catholic hearts were not cold, but that amid the hatred which they felt for those who opposed them, they cherished a grateful recollection of their Protestant advocates. The prevailing opinion, that whatever advantage the Catholics obtained was taken from the Protestants, was a prejudice that ought to be fully corrected. Mr. O’Connell concluded by giving notice of a motion of an address to the Protestants of Ireland on the subject of the objects of the committee.

“Major Bryan was called to the chair, when the thanks of the meeting were voted to the Honourable Charles Ffrench, for his proper conduct in the chair.”

From the foregoing the reader will see with what fond hope the Catholics of Ireland looked to the Prince of Wales, the late George the Fourth; never man acted more basely to others, than he did to them. He deceived and flattered them as prince; he deceived, abandoned, and spurned them as monarch.

On the 2d of February, the committee again met—N. P. O'Gorman, Esq., the present Assistant-Barrister for the county Kilkenny, in the chair. The proceedings commenced with an angry discussion, excited chiefly by Mr. Cornelius Keogh—the son of John Keogh—who objected, (according to the newspaper report, “to the introduction of any business which would allow the country gentlemen to act at that meeting as managers, and then said that the best means to adjust, satisfactorily, the point, was to read the various resolutions on which the committee was founded. The secretary read the resolutions of the 19th July, 1810, the resolution of the 2nd November, 1810, and (at the suggestion of Counsellor O'Connell, to the propriety of which Mr. Keogh acceded,) the secretary read the subsequent resolution, relative to the mode of appointing country gentlemen to act as managers for petitioning Parliament in behalf of the Catholics of Ireland.”

Mr. Keogh proceeded to object that the committee had no authority to increase the number of its members, beyond that fixed by the aggregate meeting from which it derived authority to move in the matter of petitioning.

In the discussion on this objection, a rather warm collateral dispute arose between Messrs. Clinch and Hussey, leading members of the committee, relative to a recent publication of a part of their proceedings, by Mr. Clinch. This will explain Mr. O'Connell's allusion to the “wranglings” of the meeting.

“Mr. O'Connell—Sir, I must confess that this resolution, which the gentleman, I am sorry to find, so inflexibly presses on your consideration, is a breach of the common law of the committee. In order to avoid the bad consequences of taking the meeting by surprise, it was necessary to give notice of any motion which might be intended to be made. I will confidently assert that no resolution has ever been passed from the chair, which had not been grounded on a preceding notice. The gentleman was apprized of the fact, for on the last day of meeting, it was distinctly stated to him; in point of form, then, he was essentially, and indisputably wrong.

“Mr. Keogh—‘I understand order better.’

“Mr. O'Connell—By his own words, the gentleman is confessedly wrong. Look how the matter stands. The gentleman knew it was

the rule—but did he give notice, or can he deny that he has violated it? I do not like special pleading; but it is only common sense to adhere to a regulation which would prevent the committee from being taken by surprise. I will ask, might it not be so contrived that the important business of three years, when our hopes and wishes were on the point of consummation, might not the important business of three years be overturned in an hour, if we had no other security than a hope, confiding in the honour of society? What has been the subject of this long debate? I have the greatest respect for the individuals present: and I do not mean to allude to the subject any further than to show, that we look like a parcel of wrangling school-boys, and not like rational men, deliberating on the fate of ourselves and our posterity—or like men struggling for our emancipation—struggling to become what we are entitled to by the common rights of nature, by the constitution, by our sufferings and our merits. I have come here to-day, not to occupy your time in jangling, but to assist in looking for my own liberty—I have come here to-day to make a motion of the first importance, namely, to have our petition presented to Parliament—I have come here to-day to refute the malignant calumnies of our enemies, and to correct the mistakes of our enlightened advocate. Even the classic pen of the best critic of the age is not free from error: I allude to the last number of *The Edinburgh Review*. In it the writer states, and laments too, that such a grievance should exist—that there are forty offices under government, from which Catholics are excluded. But when this excellent person laments that four millions of the bravest and most meritorious people were excluded from forty offices of trust and emolument, what would have been his indignation if he had known what I am prepared to verify by documents, that there are one thousand two hundred and fifty-four offices, from which Catholics are excluded by the direct operation of the law; and that there are thirty thousand places, from which they are excluded by its consequences. I am prevented from unfolding those important facts, not by a vote of censure against those persons who have absented themselves, and have not participated in the labours of the Committee—but by a motion to stigmatize your conduct, and to rescind the proceedings of three months of laborious investigation. I do not wish to claim any merit for my services—yet my time is of some value to me, and I did not avoid my duty when my country required my services. And yet, how are the important labours of the committee to be rendered useless? Why, by clamour, and not by argument. I am trespassing

on your patience—but I am so impressed with the importance of the subject, that I must declare before God, that feeling what appears to me to be true, I cannot help saying, that the fate of Catholic Emancipation will depend on the decision of this day. The decision will show whether you are a degraded, a miserable, and a divided people, and, consequently, the mangled and disabled victim of your enemies; or by your unanimity, that you are able to spread discomfiture through your foes; and to exhibit to the world the glorious proof that your claims are as just as they are irresistible (hear)—that your claims are as just as irresistible. And here, sir, I call on the gentleman, in the venerable name of his father, that he will not divide the committee on this question, nor suffer their enemies to triumph at the prospect of disunion among the Catholics. If the gentleman thinks that we ought not to have any further meetings, let him come fairly and give notice of his intention of rescinding our proceedings—but let him not afford our enemies the delight of witnessing a division among ourselves on a pitiful question. As to the objections which the gentleman urged, I could demonstrate that they are unfounded, from what he would acknowledge to be sufficient authority; but I sit down with the hope that he will consent to the retraction of his motion, and permit the business of the day to go forward.”

Mr. Keogh's objections found, however, a supporter in Lord Ffrench, who, after a digression, attacking the “lawyers” of the committee, as “men who ought to be suspected, having more to expect than any other description of Catholics,” declared that the only way to “put down these lawyers,” was by an appeal to the people; and for that purpose, “moved, as an amendment to Mr. Keogh's motion, that the Catholic concerns be referred to an aggregate meeting, to be held that day fortnight.”

Lord Ffrench's attack on the legal gentlemen, brought up Mr. Hussey in a very warm and vigorous speech—retorting the personalities with which he and the other members of the bar had been assailed, and powerfully arguing against Mr. Keogh's endeavour to shut out the “country gentlemen” present, from voting.

“Is it a surprise,” he asked, “that we have been here engaged in the arduous duties of our trust?—is it a surprise that the gentlemen of thirty-two counties have attended here to act as managers in the common cause?—is it a surprise that those gentlemen have come

hither to decide on a question so vital to their dearest interests?—is it not a cheering circumstance, to see gentlemen coming forward to aid the committee with their counsels? I could have wished that those other gentlemen, whom I see here to-day, had regularly attended, and had participated in the arduous labours of the committee. . . . I have the greatest respect for the gentlemen of the metropolis; but if it should be contended that they alone are always to conduct the affairs of the Catholics, to the exclusion of country managers, I must say what I before mentioned in the committee, that they resemble the fable of the frog and ox. So, then, we are to undertake the management of Catholic affairs, without the aid of the country: to say that we would assume such a privilege, would be an aspersion on our characters. But is it not a monstrous proposition, that we should send back into the country, with disgrace, those members whom we have invited to come among us—men of rank, honour, and talent—and that, too, without assigning any sufficient reason? You have invited them to attend—but when they are arrived, are you to tell the people of Ireland, ‘we send you back the fools, returning them like damaged wares?’”

Mr. O’Connell—as already in his career, had been very frequently his office—had to compose the angry passions, which were now running high, and, with every fresh speaker, were becoming more and more excited.

• “Mr. O’Connell began by expressing an anxious hope that the discussion of this day would be conducted with good temper, and terminate in harmony. His object was to stifle every sentiment amongst the Catholic body, that would militate against that cordial spirit of co-operation, which had hitherto animated the members of the committee. Hitherto, at their meetings, a difference of opinion did sometimes, as it was quite natural, prevail; but there was no intention of division—and, from this heartfelt unanimity, he had with delight beheld the dawning certainty of speedy and complete emancipation. The Catholic cause was now too great and irresistible to be destroyed, even by the misconduct of its own advocates. It had, indeed, been almost crushed in its infancy, by distrust and dissension. Dissension had impeded it in every step of its progress, and was still the drag-chain that encumbered and retarded its movements. By division, the Catholics would be not only weakened, but degraded: if they quarrelled amongst themselves,

they would disgust their friends and delight their enemies. Could anything be imagined more agreeable to the Wellesleys and the Percevals, than to find the Catholics of Ireland involved in a wrangle amongst themselves—than to see them engaged in attacking and vilifying one another, when every faculty of their minds ought to be directed to concert one combined effort of all the Irish people to put down their enemies, and to procure, in a constitutional course, their Emancipation. He did, therefore, conjure the gentlemen who had brought forward the present question to revert to that subject, for which the committee had been originally framed, namely, the petition; and to suffer *that* to proceed, without embarking in discussions that could not be productive of advantage. He expected from those gentlemen, that they would, when they contemplated the triumph to our enemies, and the mischief to the Catholics, which must ensue from dissension, abandon that species of crimination and attack, which had been that day, for the first time, introduced into the committee. The charges that were made, even supposing them founded, could be obviated, if those gentlemen would, themselves, take the trouble of attending in future. But he must say, that the gentlemen who did attack the committee, were altogether mistaken. The fact was, that the committee stands high in the public opinion—and that this estimation was founded on important services and pure exertions—upon a painful sacrifice of the time and labour of the individuals—and upon the more painful exposure which they made of themselves, to every shaft of calumny and ridicule, from the mean, mercenary, and malignant hirelings of the enemies of the Catholics. With respect to that part of the Irish Catholic bar, which took a part in the labours of the committee, he would not say a word in its vindication: for his own part, he should be most grateful if the bar were altogether to be excluded from Catholic politics—and it would be easy to exclude them. If the noble lord could spare time from his other avocations, to attend the affairs of the Catholics, he, for one, would rejoice at their being placed in such excellent hands; and would then think himself justified in devoting himself, exclusively, to his professional pursuits. All he wished to see was, that gentlemen would come forward, and take upon themselves the trouble of advancing the Catholic concerns; but it really was rather severe that gentlemen, who avowed that they themselves had not leisure to attend to the business of the Catholics, should charge those who, with a disinterested zeal, had made, and were ready to make a sacrifice of their time and exertions, with being animated with the pitiful ambition of leadership. No—

that was a contemptible object ; and he had no difficulty in calling on the all-seeing Deity to attest the truth of his assertion, that the conscientious discharge of duty to an afflicted country, was his leading motive to come forward ; and that neither he nor his children should ever be reproached, with truth, for having committed the cause of the Catholics into any advantage of a personal nature to himself. Neither did the committee deserve any part of the reproaches cast upon them ; on the contrary, they had done their duty well. The cause of the Catholic soldiery attracted their attention—they exposed to view the gross violations of the law, which were daily committed with respect to Catholic soldiers—the really patriotic prints of the metropolis joined in the cause—and the result has been, that even the Wellesley administration in this country have condescended so far as to recognise the law of the land in their military orders ; and now the Catholic soldiers in Ireland are allowed to serve their king, without being called on for any violation of their consciences. No petty tyrant, dressed in a little brief authority, could now indulge his vile bigotry, by compelling the defenders of their king and country to abandon what they conceived to be their duty to their God. Was this no service ? Did the committee deserve no thanks for this ?—or rather, was it not an earnest of what the committee had still to do, and would do, in redressing other oppressions, if their cause was not impeded by division and dissension ? At all events, we had a right to call upon those who impeached the committee, to state in what respect *they* had done even so much for the Catholic cause. Let *them* state their services, and he would return them thanks, and not impeachment. But, sir, the committee have not confined their exertions to this single subject. We have framed, in very firm and constitutional language, the petition which has been already signed by thousands : we have already procured illustrious personages in both houses of parliament, to take charge of it ; and it is now actually ready for transmission to England. There was another subject which engrossed much of our attention : it was the placing before the empire and the world, the present oppressed and degraded state of the Catholics of Ireland, in all its emaciating details. It appeared to him that the principal cause which had hitherto prevented the emancipation of the Catholics, was the strange ignorance of our situation, under which our warmest friends laboured. Even our best and brightest advocate, that ornament to Ireland, Henry Grattan himself, laboured under this mistake : Mr. Ponsonby, too, who has exerted himself so strenuously in the Catholic cause, appears to be equally

ignorant. It is to me, therefore, not at all surprising, that the Edinburgh reviewers should have fallen into the same error, so that they stated more than once, in their late most admirable essay on the subject, that the Catholics were excluded from only about forty offices, besides the houses of parliament. Notwithstanding this, to them almost inevitable error, theirs was a most admirable discussion—it was a specimen of that inestimable logic, that clear arrangement of the subject, and that conclusive display of proofs with which that work abounded; but what would it have been if they were informed of our real situation; my praise of those reviewers must be allowed to be unbiassed. I differ from them on the subject of the veto, and would undertake to convince any of them that I am right. I also easily see myself amongst those whom they style ‘bombastic counselors;’ and I smile to see how happily they have described that fustian and rant, which I am in the habit, as at present, of obtruding upon your meetings. But, notwithstanding this attack, which I admit to be personal, I do most sincerely and cordially thank them for their exertions. It is not in the nature of popular feeling to continue long its gratitude; but I have no hesitation in saying, that the Catholics of Ireland deserve to be slaves, if they ever forget what they owe to the writers of that article. Let me, however, repeat my regret, that its effect should have been weakened by the erroneous view which those writers took of our situation. It is strange enough, that when they contributed so considerably to the repeal of the slave trade, they were found to be perfectly conversant with the savage tribes of Raarta and Bambana; and that they were able to give dissertations on the police of the barbaric cities of Sego and Timbuctoo, and yet are so deplorably ignorant of the condition of the white slaves of Ireland. We have another excellent advocate in England—an advocate whom we could bribe only one way, with the justice of our cause—I mean William Cobbett. It is truly important to us that his exertions should not be paralyzed by ignorance of our wants. The moment we can show him the extent of our oppressions, we furnish him with materials to ensure our triumph—and it must be admitted that we could not have a more useful advocate. When he is right, he is irresistible—there is a strength and clearness in the way he puts every topic; he is at once so convincing, and yet so familiar, that the dullest can understand, and even the bigot must be convinced. But what has deservedly raised him high in public estimation, is the manly candour with which he avows and retracts any opinion that he discovers to be erroneous. I can hardly conceive a greater proof of sound understanding and perfect honesty than such

conduct ; but what has been his fate ? Why, he has advocated your cause, and is suffering under an atrocious sentence—indeed, in the history of modern times, a sentence so disproportionate with the offence, as to excite horror and disgust in the mind of every man who heard it—a sentence which actually has the effect of converting the object of it from being the victim of just law, into the martyr of some unpopular, and, therefore, hated cause. What a besotted, benumbed people these English are ! They heard the sentence pronounced : two long weary years' imprisonment for a libel on the German legion ! They saw the victim conveyed to his dungeon ; the fountain of mercy was there, yet there was no address, no petition to the throne for its interference—neither has this subject yet been brought before either house of Parliament. Upon this subject I confess I have been led away by my feelings ; but as I have wandered, allow me to indulge in relating to you the fate of another public character. A certain land-calf, of the name of Sparke, pronounced and published, some two years ago, a dissertation in bad Latin, in which he strenuously advised that Catholics should be turned out of every civil situation ; and that they should be expelled from the army and navy ! Upon what grounds think you ? Why, as the enemies of everything human and divine ! Here was a libel—a libel most admirably calculated to serve the interests of Bonaparte, by depriving us, at a single blow, of at least three-fourths of our army and navy. You imagine, of course, that he was punished—that the Attorney-General prosecuted him, and called for a vindictive sentence in the name of the army and navy, and that he conjured up the shades of the Catholics who bled at Aboukir and Trafalgar—who bravely fought and greatly died at Vimiera and Talavera, to scream for vengeance. You suppose that this worthy divine was sentenced to at least one fortnight's imprisonment. Oh, no, you are mistaken—he was only made a bishop, and he will soon have to give his enlightened vote on our petition to the lords. Mr. O'Connell entreated pardon for thus wandering from the subject—his object was to show the labours and services of the committee ; and he had pointed out the state of ignorance in which our advocates were, with respect to Catholic privations. It was unnecessary to enlarge on the utility of giving accurate information on the subject. The committee felt that they had this duty to discharge, and they have, with no small labour, completed it. He held in his hand the volume of near two hundred pages, which they had compiled on the subject ; and if the meeting would suffer him, he would undertake to demonstrate that the committee had exerted itself with much attention and labour. If he was

suffered, he would shortly state an abstract, taken from their report, of the offices of trust, honour, and emolument, from which the Catholics are excluded, and which even our friends estimate so low as about forty, but which, in truth, amount, when the influence, as well as the positive enactment of the penal code, is considered, to upwards of thirty thousand. If he did not weary the meeting, he would now go into detail.—(A general cry of ‘go on, go on.’) Mr. O’Connell, in continuation, said, being encouraged, he would proceed with the abstract. The first thing that offered itself was the parliament. From seats in both houses the Catholics were excluded, amounting to 900: next came the offices in corporations. We are, in Dublin, excluded from the

Offices of Lord Mayor and Aldermen,	24
Sheriffs and Sub-Sheriffs,	3
Sheriff’s Peers,	38
Common Council,	96
Recorder,	1
Treasurer,	1
Town Clerks,	2
Masters and Wardens of Guilds,	73
Total,	<hr/> 238

There are, I think, 86 other corporate cities and towns in Ireland, which, at the low average rate of 32 officers in each, from which Catholics are by law excluded, amount to 2752; giving a total, under positive exclusion of 3083. But if a more accurate view of the other offices in the gift of the corporation, or confided to them, be taken, it will be found that Catholics are, by the spirit and operation of the law, if not by the letter of it, excluded from those latter offices—as, for example, in Dublin—

President of the Court of Conscience, his Secretary and Clerk, (worth two thousand pounds per annum,)	2
Lord Mayor’s Secretary	1
Police Justices,	12
Their Secretaries and Clerks,	12
City Officers, as Constables, Sword-bearer, &c., (see Red Book),	27
Cranes,	4
Pipe-water Board,	22
Public Money Yards, &c.,	3
Ballast Office,	16
Paving Board and Offices,	13
Grand Jury, with very few exceptions, and other public boards, offices, and clerks,	50
Amounting to	<hr/> 162
Add to those similar offices in the other 86 corporations of Ireland, averaged at only 32 to each, amounting to	2752
Total,	<hr/> 2914

Thirdly—There are in the profession and administration of the law-officers, from which we are directly excluded :—

Lord Chancellor,	1
Master of the Rolls,	1
Law Judges,	12
Serjeants,	9
King's Counsel, (now)	28
Masters in Chancery,	4
Attorney and Solicitor-General,	2
Counsel to the Commons,	2
Chairman of Kilmainham,	1
Sheriffs of Countiess	32
Sub-Sheriffs,	32
Advocates in the Spiritual Court,	20
Proctors in Dublin,	9
Proctors in the country,	40
Notary Public,	56
Law Officers in the Spiritual Courts—the jurisdiction of these Courts extend over temporal matters,	109
Total,	358

Add to those a number of Officers under the patronage principally of the foregoing; which, although the profession of the law is not unequivocally liberal, yet Catholics are almost uniformly excluded from such as Assistant Bar- risters of Counties, Assistant Counsel Coroners, Law Clerks in the Law and Equity Offices in Counties, (see Red Book,) amounting, at least, to	700
Total,	1058

The next class I shall mention is that of the officers in the army and navy. It is notorious that the Catholics contribute very largely in money and men, to those services. The number of officers may be thus estimated. In the army, the regiments are thus :

Life Guards,	2
Horse Guards,	1
Dragoon Guards,	7
Dragoons,	24
Foot Guards,	3
Foot,	101
Artillery,	3
Irish Militia, from several of the commissions in which Catho- lics are absolutely excluded,	28
Total,	169

Several of the regiments have two, three, or more batallions, so that the entire may be estimated at 200 battalions, and must contain 7500 commissioned officers, from which deduct 100 for Catholic officers in the Irish militia, it will leave 7400. And it is quite manifest that

the proportion of 100 Catholic officers in the Irish militia, is a great exaggeration. Add the paymasters, commissariat department, the staff, storekeepers, contractors, &c., under the same patronage, amounting, at least, to 1600; amounting, in the entire, to 9000. In the navy, the officers may be thus estimated:—There are in commission, about 900 ships. At a very moderate average there are ten officers to a ship, being 9000; admirals, &c., about 200; add the dock-yard establishments, the companies of marines, the pursers, and the other officers dependent on the naval departments, amounting to 3800; amounting in the entire, to 13,000. There are other officers of trust, honour, and emolument, from which the Catholics are excluded:—

Lord Lieutenant,	1
Lords of the Treasury,	8
Governors of Counties, (now)	38
Privy Councillors, including Duigenan,	90
Fellows of Trinity College,	28
Scholars of ditto,	60
Postmasters-General,	2
Teller of the Exchequer,	1
Chancellor of the Exchequer,	1
Keeper of the Privy Seal,	1
Vice Treasurer,	1
Auditor-General,	1
Custodes Rotulorum,	16
Secretary of State,	1
Secretary to the Lord Lieutenant,	2
Total,	251

I am sure I can be reproached only with having too far diminished the dependent offices from which the Catholics are excluded under this head, when I state them only at 2060. Catholics are excluded from the following offices:—

	Directly.	Indirectly.
1. Parliament,	900	
2. Corporations,	3152	1829
3. Law,	358	700
4. Army,	7400	1600
5. Navy,	9200	3000
6. Other offices enumerated,	251	2000

Thus giving a total of offices from which Catholics are excluded, by positive enactment, of	21,261
And of offices from which they are almost, with equal certainty excluded, by the spirit and operation of the law, amounting to	9,229

Amounting in the entire, to 30,490

Let it be recollected, that in giving this statement, we abstain altogether from the situations which belong, of right, to the Established Church. We should be sorry to see any similar law created for our clergy, and we most assuredly do not seek to disturb those that exist."

“ There is another important branch in the political economy of this country, from which the Catholics are almost altogether excluded ; it relates to the collection and distribution of the public money. There are annually about six millions raised on the Irish people—of these, it is said, that only four millions, or 13s. 4d. in the pound, reach the treasury. There are, besides, four millions annually, borrowed in England, for Ireland, and expended in this country ; so that there seems, taken together, a sum, making altogether, ten millions, is collected and managed, almost exclusively by Protestants ; there not being, I dare say, at the utmost, twenty Catholics employed in such collection or management. I am sure I should grossly exaggerate it, were I to say there were twenty ; amongst other reasons, because I have already shown that the far greater number of the offices attached to that collection and management, are by the law shut against the Catholics ; so that we have ten millions yearly, the principal of no less than six millions of which are raised from the inhabitants of this land, and the interest of the entire of which is charged upon them and their descendants, in perpetuity. We have these ten millions oppressive to all, and emolumentary only to a few of the Protestants. Let it also be recollected, that the four millions which are paid into the Irish treasury, have a second operation, for of course they are paid out again in discharge of the expenditure of the state ; but the management of such payment is also in the hands of the members of the Established Church ; so that, in fact, we are thus excluded from the management, and all the advantages that result from the management of fourteen millions of money annually, taking into consideration the second operation of the four millions raised in Ireland. The committee have entered into various details to illustrate and prove their statements ; they do not omit to treat often of the insult that the parade of Orange anniversaries, and the commemoration of ancient feuds, excite and perpetuate ; but above all, they have investigated the deplorable situation of the inferior orders of Catholics in the towns, particularly in the north, on those days devoted to the celebration of Orange festivals ; when the lower order of those systematic oppressors meet together for the purpose, according to the phrase used by some of themselves, at a late trial at Omagh, ‘ *of making Orangemen.*’ The committee has remarked, too, on the degrading situation in which the Irish Catholic officers, who go to England with their regiments, are placed. *There, they* must quit the service, or violate their consciences, whilst they see *German* soldiers enjoy complete toleration in the Catholic religion ; as if the

conscience of a German was declared by law to be worthy of respect, that of the Irish, of none ; why else do the pious Perceval, and holy Wilberforce, consent to allow popery in the German legion, and persecute it amongst the loyal Irish ? It is our anxious wish that some of the class of hirelings who do the dirty work of the Wellesleys and the Percevals, shall have the audacity to contradict the facts which our statement contains. We challenge them to that contradiction ; all we entreat is, that they will come to particulars ; but if they do not—if they protect themselves by general denials, we are ready with the proofs of each and every assertion. I entreat the indulgence of the meeting for this lengthened trespass on their patience. I hope I have shown that the committee has not neglected its duty ; it has assisted to relieve the soldiery from the oppressions under which they laboured—it has prepared the petition, and made every arrangement for its presentation—and it has ready for publication, a detailed statement of the penalties and persecutions under which the Catholics suffer ; yet, whilst we do thus suffer—whilst the multiplicity and weight of our chains may affright even our enemies, we, wretched slaves that we are, instead of combining heart and hand to procure redress and relief, are about to engage in a miserable warfare among ourselves. The old curse of the Catholics is, I fear, about to be renewed ; division, that made us what we are, and keeps us so, is again to rear its standard amongst us ; but it was thus always with the Irish Catholics. I recollect, that in reading the life of the great Duke of Ormond, as he is called, I was forcibly struck with a despatch of his, transmitted about the year 1661, when he was Lord Lieutenant of Ireland. It was written to vindicate himself from a charge of having favoured the papists, and having given them permission to hold a public meeting in Dublin. His answer is remarkable. He rejects with disdain the foul calumny of being a favourer of papists ; though he admits he gave them leave to meet : ‘ because,’ said he, ‘ I know by experience, that the Irish papists never meet, without dividing and degrading themselves.’ I quote the words of the official despatch ; I can lay my finger on the very spot, in ‘ Carte’s Life of Ormond.’

“ One hundred and fifty years have since elapsed, and we are still in thralldom, because no experience can, I fear, cure us of this wretched disposition to divide. He entreated of the respectable gentlemen who that day attended the committee, to consider that their mistakes, if they had made any, ought not to be visited with so grievous a calamity, as that of creating dissension amongst them. But in point

of fact, of what was the committee accused? Why, that they, having been expressly entrusted with the management of Catholic affairs, had thought it prudent and wise to consult, not the citizens of Dublin alone, but the Catholic inhabitants of every county in Ireland. Had not the counties of Tipperary, and Kerry, and Clare, and Carlow, and Kilkenny, as good a right to be consulted with, and heard, as the city of Dublin; and he appealed to the good sense of every man present, whether it must not have the worst effect on the Catholic mind, if any gentlemen shall continue to insist, as they did that day, that an aggregate meeting in Dublin was all-powerful, that it was "*the people*," and that the Catholics of the different counties had no right to contribute to the foundation of the general committee. The objection in point of form to encreasing the committee, would have weight but for the state of the law. The managers of the petition appointed by the counties were not delegates, and could not act in a representative capacity; but this was only because the law prevented the Catholics from choosing delegates, and holding a representative assembly. It should, however, be recollected, that a precisely similar objection lay against the committee appointed by the aggregate meeting, for neither were they delegates or representatives. If they insisted on the country, they would only expose themselves to the hazard of an indictment, with the certainty of being convicted. This was the distinct answer to the maxim, the trite and quaint maxim which no person disputed, that a deputy could not constitute a deputy. The fact was, that there were not, and could not be any deputies in the committee. In the present state of the law, we could only regret that delegation was forbidden—but we should not be driven, even by this impeachment, to violate the law, and expose the Catholic committee to a prosecution. It assuredly could not be the intention of the gentlemen to drive the committee into that predicament. It was impossible not to be sensible that he had already consumed too much of the time of the meeting; he should therefore rapidly conclude by moving the order of the day, namely—"That the Catholic petition be forthwith presented to parliament." He was anxious to place that out of the way of dissension. Indeed the cry of no petition, like a somewhat similar cry in another quarter, had, it was supposed by the country, been the watchword of party in Dublin. It was strongly suspected by many well-meaning persons, that such cry was used for the sole purpose of serving as a rallying word; and this suspicion unfortunately justified in some measure by the change that had taken in the arguments used to oppose the petition. Formerly,

gentlemen talked for hours in praise of 'dignified silence,' and of 'frowning upon their enemies,' and of 'muttering curses deep not loud.' Now, indeed, their faces were decked in smiles; they were smoothing their whiskers, and putting them on the peace establishment; they talked of delicacy, and with courtly air, entreated that we would not embarrass our friends of the new administration. Sir, I know but of one embarrassment in this nation—and that arises from the state of weakness and distraction the empire suffers from the political injustice inflicted on the Catholics. I know but of one embarrassment to the Catholics, and that arises from the state of inferiority and degradation in which the criminal neglect of our just right leaves us. I know too, but of one course to procure emancipation. It is the open, manly, and constitutional right of petition. If you petition session after session, you take away all pretext for intrigue and cabal amongst yourselves; all rational hope of managing a party amongst us from your enemies, and also from your false-hearted friends; and for my part, my humble opinion is decided, that you should continue to repeat your demands for liberty, until every grievance shall be extinguished, and every trace of religious oppression annihilated. It was, however, right to observe that if the country differed with him on this subject, they ought in justice to be heard. It was imperative on the committee to lay the petition before parliament; but no discussion could take place upon it till after the Easter recess; in fact, until the middle of next May. In the interim, the managers for each county would be able to ascertain the sentiments of their respective neighbourhoods; and should it appear to be the will of the majority of the Catholics, that the discussion of our petition should be deferred for another year, why the example set by the English Catholics last session may be adopted, and the petition allowed to lie on the table for the present. He must say that he would regret any such determination, as our claims, if understood, which they could be but by discussion in parliament, are really invincible. But he never would set up his own opinion against that of the majority, or even against that of any considerable portion of the Catholic body.

“He then concluded by reminding gentlemen, that every authority, human and divine, spoke trumpet-tongued of the evils of dissension; and he conjured the meeting, as they wished to be true to their country, and to their God, not to divide, and distract fellow-labourers and fellow-slaves.” *

Mr. O'Connell finally prevailed, though not without a division, on which however, there was a considerable majority against Mr. Clinch's amendment.

According to a resolution of a previous meeting (on the 29th December, in the preceding year, 1810), the petition was to be entrusted to Mr. Grattan, for presentation in the Commons.

A short speech of Mr. O'Connell's at the meeting just referred to—viz., that of December, 1810, may (without any more extended notice of the meeting itself) be here inserted, as one of the many links of the chain of evidence we trust this collection of his public acts will be found to afford, in proof of how undeviatingly he has always, while working for Ireland, looked to, and endeavoured to serve, the best interest of the empire at large.

" Mr. O'Connell said, that what had fallen from the learned gentleman (Nicholas Purcell O'Gorman, Esq.) who had preceded him, required some observation. He (Mr. O'Gorman) had supposed that the French party, mentioned by Mr. Grattan, was, by our enemies, alleged to exist among the Catholics of Ireland. This was an assertion which he, Mr. O'Connell, said he must controvert. There did not exist, even among the mean and miserable herd of the adversaries of the Catholics, any man so shameless as to assert that a French party could be found amongst us. In truth, nothing could be more obvious than that the only genuine and effective *anti-Gallican* party in Ireland was that of the Catholics—for their object is to consolidate the strength, and increase the resources of the empire; not merely to contribute, as they do, to every defeat which the enemy meets, but to render it quite impossible that he should ever succeed, by combining the entire nation in the defence of their king and constitution. Our first desire, and the motives which govern us, are to take away from France even the hope of success by removing those excuses of *distrust, and dissension, and weakness in this country, which, at present, are really so many temptations to the enemy to invade us.* We would fain excite a NATIONAL and IRISH PARTY, *capable of annihilating any foreign oppressor whatsoever,* and devoted to the amelioration of this our native land. There is, indeed, a French party that *does* exist in Ireland—a party most useful to the views and designs of France. It is the *party of the present ministry—that party which exerts its vicious energies to*

divide, distract, and oppress the realm—that loads the nation with the weight of ill-judged taxation, and employs the money, wrung from poverty and distress, in fomenting internal dissensions—in calumniating the Irish people to each other—accusing the Catholics of disloyalty because they seek the rights of the constitution—charging the Protestants with bigotry, and yet encouraging them to become intolerant. It is, in fine, this party which desolates the country, and then talks to us of our growing prosperity.”

Mr. O'Connell then proceeded to speak of Mr. Grattan, and paid him the following warm and generous tribute :—

“He could not sit down without entreating of his learned friend, Mr. O'Gorman, to withdraw his opposition to the present motion. Let not our enemies be able to boast that there was a single dissenting voice among the Catholics, upon the subject of Ireland's best and last resource, Henry Grattan. Surely that learned gentleman cannot be insensible to what that illustrious and genuine patriot has done and suffered in the cause of his country, if other evidence were wanting of his love for his devoted country. Alas, poor Ireland! the active hatred of his enemies, which he has so long sustained, would alone demonstrate it.

“That greatest foe Ireland ever experienced—her first and deepest curse—the late Earl of Clare, honoured Grattan with his deadly hate. Can we forget it, how, under Lord Clare's auspices, a committee of the House of Lords turned itself, as it were, into a committee of assassination of Grattan's character; and, with monstrous effrontery, gave to the public, in their report, what they did not themselves believe, the assertion of a wretched informer, charging him with treason.

“They did not themselves believe it, for if they had, not only their duty, but their strong and infuriate inclination required that they should prosecute him even to death.

“At that melancholy period (and may heaven avert from Ireland the recurrence of such another) little evidence was necessary, when mere accusation could almost supply the place of guilt. Let this instance of the vain and impotent malice of the enemies of Ireland show the extent of his offence in serving his country.

“There was one other consideration which rendered it imperative on the learned gentleman to abandon his opposition. Let him recollect that it was Henry Grattan ‘that watched over the cradle of Irish independence, and that he walked after its hearse!’ Our

country is entranced in the death-sleep of the Union; and I pity that Irishman who does not feel pleasure in repeating with me that Henry Grattan is alone worthy to 'sound the glad trumpet of her resurrection!'

"Surely it will not be said that Catholic ingratitude diminished his ardours. He, Mr. O'Connell, felt that the sin of ingratitude was heavy upon the Catholics, while they seemed to hesitate, but for a moment, on this subject. He would not, therefore, detain the meeting from passing, what he trusted would be, an unanimous vote."

"In perusing Mr. O'Connell's speeches, at the remotest, as well as at more recent periods of his public career, the reader cannot fail to be struck with their exceeding applicability to the state of affairs in the present time. As in the first quotation from the speech we have just been dealing with, so, in multitudes of others, the remarks upon the conduct of those in authority, and upon the actual condition and future prospects of the empire in its parts, and as a whole, might be spoken at the present day in Conciliation Hall."

The cause of this lies with the government of England. Speaking of the latter, without any present reference to particular ministries, or prominent individuals who controlled and directed it at various times. The policy, or more correctly designating it, the malignant infatuation of hostility to Ireland and to Irish interests, which has so constantly, and with such shameful consistency, ruled the conduct of that government in dealing with Irish matters, has, of itself, necessitated an equally constant and far more honourable consistency of popular denunciation.

The designs of the men who wield the British government in the present day, milder and gentler as are the means by which they essay to work them out, have their origin in the same spirit of fiendish inveteracy against Ireland, her religion and her people, as the more bold, and, alas! fatally successful plans and efforts of the British government in 1799, and many a bitter year afterwards. It can then be matter of little wonder to find that the expressions of indignation and execration, which evil intentions and actions provoked at former periods, should

be found perfectly and powerfully applicable, when similar provocations are making themselves manifest again.

On the 9th of February occurred another of the occasions, now fast multiplying, to test Mr. O'Connell's abilities for leadership, in the important points of conciliating opposing sentiments, obviating the difficulties suggested by the timid, the silly, or the dishonest, and clearing away the obstructions wantonly thrown up to arrest or divert the popular movement.

In the current of this debate, as in that of the preceding debate of this month, there was strong evidence of a design, on the part of a few individuals in Dublin, to get into their own hands the exclusive management of Catholic affairs. Mr. O'Connell, while he entirely defeated this effort, and kept the Catholic Committee on its liberal and more popular basis, yet so managed matters as to have been appealed to by one of the chief parties in the debate to compose the differences that were agitating the meeting. •

His speech for this purpose was as follows :—

“Mr. M'Donnell's motion is for an adjournment for a fortnight, and the proposal has been offered on such reasonable grounds, that I give it my most cordial support. Let it not be supposed that I am actuated by any personal feeling, or that I secretly indulge a hope of becoming one of the persons who shall be entrusted with your petition. High as I esteem the honour, I am not endeavouring, by any means, direct or indirect, to obtain it. I think not so highly of myself, and I must declare that it would be to me a most pleasing circumstance if there could not be found a more suitable individual than myself. I conjure my countrymen not to suppose that I would make the cause of my native land subservient to any idle or criminal ambition. I reject, with scorn, the foul imputation. I seek only for unanimity among Catholics, and I leave to others the glory of dividing the body. I do not wish to speak harshly; I have often been mistaken, but I cannot avoid saying that, unfortunately, I have witnessed in the discussion of this day, more violence than should have entered into the consideration of slaves. I do not suppose that the gentlemen act from base or unworthy motives; but I say that error has entered their hearts, and I lament its baneful effects in the division which it must inevitably cause among the Catholic body. When

are our petty and miserable squabbles to have an end? Are we not allowed to go into open air? But must we decide on the impulse of the moment, with all the evil effects of division and distraction whereas by an adjournment of a fortnight, we would become unanimous. I do not give up my opinion of the necessity of delegation; but I would rather forego the advantages resulting from delegation, than weaken the effect of your petition by dividing the committee on the question. The petition must go before both houses of parliament, and its merits must be discussed, but I will not, by pressing a division, afford an argument to your enemies to identify the sentiments of a few men in this committee, with the voice of five millions of persons. It has been proved to you this day, that the sentiments of several populous and respectable districts are indubitably in favour of having their petition committed to the care of delegates; but I will concede the point, for I would think myself criminal if I should divide the committee. My Lord Ffrench, I entreat you to consider, if it is not an evil of the utmost magnitude to divide us, as it will show to our enemies, who are secretly exulting at the prospect of division—that we are to the last a divided, and, therefore, a contemptible people—for objects for the derision of our malignant enemies. See the predicament we are reduced to. We are charged with having a faction amongst ourselves, and we ask for deliberation for a fortnight, which would render us unanimous. It has been said that I am anxious to become one of your delegates; I solemnly assure you that I am not. Some of my friends have often expressed their wish that I might become the object of your choice, but I did say that I could not have that honour. So impressed am I with the necessity of being unanimous, that I promise the gentlemen, if they consent to adjourn, that I shall, at the next meeting, vote against delegation. (Cries of ‘hear, hear;’ Mr Keogh seemed to declare that he and his friends consented.) I thank the gentleman for his concession: I hail it as a happy omen; it is the voice, it is the heart, it is the support of his venerated father. (Hear, hear, hear.) We now are actuated by a proper feeling; for it is by perfect unanimity alone that we can triumph. You no longer afford your enemies the malignant gratification of seeing dissension among you. It is thus you conquer the bigotry of your opponents; not ‘by *frowning* and *dignified* silence;’ but by heart-felt unanimity. (Hear, hear.) It is thus you put them down; and let us no longer be a miserable or divided people, but a great and unanimous people, whose voice is justice, and must be law. (Loud applause.)” ~

The conciliation of personal differences, and closing up of divisions which Mr. O'Connell thus exhorted them to ; and with success on this, as on other occasions, was the more necessary to the Catholics, as, within a very few days, their committee had to enter upon an external struggle for its very existence.

The wretched government of the day now conceived the idea of waging a more active warfare against the Catholic agitators than had been for a considerable period attempted. There had always, indeed, been a kind of government *undergrowth*; even when the popular efforts were limited to the simplest and humblest form of petitioning. It was rated as a degree of audacity scarcely to be tolerated, that they should avail themselves of what limited portion of the constitution was allowed to them, to seek for more ; that the oppressed and aggrieved race should make use of the partial relaxations yet accorded from their unjust bondage, to labour for its entire abolition. The cant-phrases of the practisers and advocates of oppression—phrases such as we see in the articles of English newspapers at the present day, and in the reports of English parliamentary speakers—were hurled against all who spoke, above their breath, of wrongs to be redressed, privileges to be restored, rights to be conceded. “Disturbers, seducers of the people, interested and mercenary demagogues, selfish and hollow-hearted agitators,” such are the holiday and lady terms with which, then, as now, those have been greeted, who attempt to act on the great principle that man is not created for his own ease and his own purposes alone—that, while his first and highest duty is to heaven, the second great injunction of our divine Redeemer, man's duty towards his neighbour, has an enlarged but most relevant and imperative application in the duty he owes his country. †

† The campaign the government had resolved upon in this year, brought as little of credit or benefit to them, as there was of justice in undertaking it. In fact, they recklessly plunged themselves into what was, on their part, nothing other than a most undignified *squabble* with the Catholics. The causes of their doing so were not far to seek. The unhappy Perceval, and his miserable colleagues, had their religious bigotry inflamed and exasperated, by the alarm which their political bigotry had taken from the Repeal agitation of the preceding year, cordially

caught up and assisted, as it had been, by the Catholic leaders. The pretext for interference with Catholic agitation this year the system which had been adopted in constituting the Catholic Committee, partook of the nature of delegation, and so came under the terms of the Penal Act of 1793, against "*Conventions*." In so far as there was any ground for this charge, Mr. O'Connell stood exonerated, with his party, from all blame; as the incautious resolution, which was said to have involved them, was passed in his absence from Dublin.

* The government commenced the war by the following letter, of which copies had been sent to all the sheriffs, chief magistrates, &c., throughout the country :—

“ Dublin Castle, February 12, 1811.

“ SIR—It being reported that the Roman Catholics, or some part of them, in the county of _____, are to be called together, to nominate or appoint persons as representatives, delegates, or managers, to act, on their behalf, as members of an unlawful assembly sitting in _____ Dublin, and calling itself the Catholic Committee; you are required, in pursuance of the provisions of an act of the 33rd of the king, chapter 29, to cause to be arrested, and commit to prison (unless bail shall be given,) all persons within your jurisdiction, who shall be guilty of giving, or having given _____ of publishing, or having published, or of causing, or having caused to be given, or published, any written, or other notice of the election and appointment, in any manner, of such representative, delegate, or manager, as aforesaid; or if attending, voting, or acting, or of having attended, voted, or acted, in any manner in the choice or appointment of such representative, delegate, or manager; and you are to communicate these directions, as far as lies in your power, forthwith, to the several magistrates of the said county.

By command of his grace, the Lord Lieutenant,

W. W. POLE. ”

* With this precious communication, there was forwarded, to each party, to whom it was addressed, a paper, entitled, “some observations and extracts concerning arrests of criminals.” The “observations, extracts,” &c., concluded with this passage:—“As at this time the attention of magistrates must naturally be chiefly turned to cases of a seditious nature, some extracts from the several acts of parliament made, relative to such offences, are herewith sent.” The government having thus so thoroughly committed itself, and undergone the open defiance we have mentioned, in the capital itself, determined to act. The Catholics, on their side, determined to persevere—contending that their only purpose of meeting was to petition; and that that object took their assemblage out of the scope and terms of the Con-

vention Act. The following is the newspaper report of the first collision :—

“CATHOLIC COMMITTEE.

SATURDAY, FEBRUARY 23.

“TRIUMPH OF THE IRISH PEOPLE—INCONSISTENCY OF MR. POLE; OR, SECOND THOUGHTS BEST.

“At a meeting of the Catholic Committee, on the 9th instant, a motion of adjournment, till *this day, at two o'clock*, was put and carried. Mr. Pole's letter of the 12th is before the public. About one o'clock some highly respected Catholics, of rank and independent fortune, entered the room, but the chair could not be taken *before two*. At *half past one*, when the members were in the act of assembling, Alderman Darley and ——— Babington, Esq., arrived, and, in their magisterial capacity, addressed Lord Ffrench and the gentlemen present in the following words :—

“Alderman Darley—My lord, we are come, as magistrates of this district, to inquire whether the persons present compose the Catholic Committee?

“(Here Lord Ffrench was called to the chair.—His lordship complied.)

“Lord Ffrench—I beg leave to ask, on what account, or how are you justified in obtruding to ask the question?

“Alderman Darley—We are really justified by the Government.

“Lord Ffrench—I beg to be understood, that though I feel the highest respect for the laws of my country, that while I feel it to be your duty to obey those laws, yet I feel it my duty to inquire, *for the satisfaction of the Catholics of Ireland*, how you are authorized to act for the dispersion of this meeting?

“Alderman Darley—We are directed by the government of the country, and we trust you will *be so good* as to quietly disperse.

“(Here Mr. Lidwell, a Protestant gentleman, of great respectability, said: ‘I feel myself here on so loyal and constitutional ground, that I *will not leave this room unless removed by the strong hand of power*.’)

“Lord Ffrench—It is right I should warn you of the danger of your thus approaching this meeting under this summary authority—you may be the first person to disturb the public peace.

Alderman Darley—We sincerely regret that it has fallen to our lot to discharge this painful duty. You see we are come alone—we are

unattended, even by a single constable. We feel we have many friends present. I repeat, again, that we regret it has fallen to our lot, but our duty must be done.

“ Lord Ffrench—I feel a high respect for the laws of my country, and I have only this favour to ask—*Let me not be disgraced—let me have the honour of being the last man to leave this room.*

Mr. Babington—We feel the highest respect for the gentlemen of the committee—we highly respect your lordship. If your sole object in remaining here be to try the legal question, we will do anything to facilitate the question. Anything like force is repugnant to our feelings—we, therefore, hope you will quietly submit. Bring your action against us in the legal and constitutional way.

“ Lord Ffrench—Begin, gentlemen, at that end of the room. I shall go the last. *I have got my night-cap in my pocket, and am regardless whither you lead me.*

“ Counsellor O’Connell—It is impossible that from any man in this room the laws should meet with the least resistance, *but we cannot compromise our country’s and our children’s rights.* If you, gentlemen, think it necessary to require any further force, I beg to assure you that every member of this meeting is ready and willing to submit themselves to the laws.

“ Counsellor Hussey—Alderman Darley, have you any informations, on oath, against any one here present ?

“ Alderman Darley—I have not.

“ Sir Edward Bellew—I wish to ask the magistrates one question. Whether you have received any orders from government to disperse any meeting of Roman Catholics ?

“ Alderman Darley—I am ordered and directed, by government, to *request* them to disperse, *be their business what it may.*

“ Mr. O’Connell—You have stated that you were ordered to *request* ; were you directed to disperse the meeting ?

“ Alderman Darley—The fact is, that I am directed not only to *request*, but to *order the meeting to disperse.*

“ Lord Ffrench—Alderman Darley, would you shut the door to petition ?

“ Alderman Darley—Certainly not.

“ (Here Lord Ffrench recommended Alderman Darley to return to Mr. Pole for further instructions. He would give government an opportunity of reconsidering the subject—the meeting were resolved—at *present* his lordship would not call it the Catholic Committee.)

"Alderman Darley—I will go up to Mr. Pole, if you will permit Mr. Babington to remain here. To this proposition the meeting gave its full assent; and Alderman Darley *'went up the hill and down the hill again.'*

"On Mr. Darley's return he thus addressed the chair:—"My Lord Ffrench, I have waited on Mr. Pole, and I am instructed to say, it is not the intention of government to prevent the Catholic Committee from meeting to prepare or forward their petition; but as your lordship said this is not the Committee, we are instructed not to molest you. And as your lordship expressed your surprise at any steps which would be taken against a meeting of which you were a member, I am desired to say, that Mr. Pole would be happy to see your lordship.

"Lord Ffrench—In order to prevent any misconception, it is fit that this matter should be distinctly understood.

"Mr. Darley—My lord, I told Mr. Pole that you were chairman, and have been desired to say, that Mr. Pole would be happy to see your lordship.

"Lord Ffrench—Feeling, as I do, on this occasion, when the fate of millions is concerned, as well as my own honour, I must declare that I will not have any private solitary dialogues with Mr. Pole. But if he wishes to have any conference with any of the highly respectable gentlemen who are now present, I would recommend to draw three or five persons who can have an interview with him.

"Mr. Darley—Mr. Pole would be happy to see three or five gentlemen, or as many as you please. Mr. Darley then said, that he hoped the gentlemen would do him the justice not to suppose that he, as far as his own feelings were concerned, had acted, or was inclined to act, with harshness.

"(Here Mr. Darley received the thanks of the chair, which were confirmed by every gentleman present.)

"Sir F. Bellew, Bart.—I wish to know whether Mr. Pole said that he wished to see any gentlemen belonging to the committee.

"Mr. Darley repeated what he said before respecting Lord Ffrench having expressed his surprise that any steps should be taken against any body to which he belonged.

"Lord French—I certainly did say, that I was astonished at hearing that government was taking any steps against a body to which I belonged, as the government must know that I would not sanction any illegal meeting.

"Mr. O'Gorman—My Lord, I had not been here when Mr. Darley

first entered the room, but I am glad that I have now an opportunity of asking him a question. I came here to-day for the purpose of signing a petition, and I wish to put the question pointedly to him, for I determined to suffer myself to be committed to prison in defence of the rights of the Catholic Committee. We have met here to-day for the purpose of signing the petition, and transacting other matters connected with the furtherance of it. I therefore ask Alderman Darley *whether he came into this room with orders to disperse the Catholic Committee, appointed on behalf of the Catholics of Ireland, to prepare and forward their petition to parliament?*

“Alderman.—*No, no, certainly not.*

“(Here, then, is the real triumph of the Catholic cause, proving, at the same time, the rashness, irresolution, and inconsistency of Mr. Pole, because Alderman Darley expressly declared, several times, on his first entrance into the room, that he had positive orders, from government, to disperse the Catholic Committee, assembled to perform any act whatsoever.

“So, then, Mr. Pole can act wisely on second thoughts, particularly after the valuable information which Alderman Darley communicated to him of the stubbornness, as the Wellesleys may call it, but more truly of the spirited resolution of the Catholics to devote themselves in defence of their rights.)

“Alderman Darley told the chairman that he should do himself the honour of informing Lord Ffrench of the time which Mr. Pole might appoint to see the Catholic gentlemen.

“Lord Ffrench nominated the following gentlemen to accompany him when he shall have an interview with Mr. Pole:—Sir Edward Bellew, Bart., Cornelius Keogh, William Murphy, Daniel O’Connell, and Randall M’Donnell, Esqrs.

“The chairman having been moved out of the chair, and Sir Edward Bellew voted into it—

“Resolved—That the most cordial thanks of the Catholics of Ireland are due, and are hereby given to the Right Honourable Lord Ffrench for his spirited and dignified conduct in the chair.

“(Signed) EDWARD BELLEW, Chairman.

“It is only necessary to add, that the meeting was numerously attended by the most respectable country gentlemen.

“Adjourned to Saturday next.”

A short correspondence ensued between Mr. Pole and Lord

Ffrench, in which the latter, with the same ability and dignity he had shown in the chair at the meeting, again foiled the secretary, who wanted to make it appear, that the deputation of the Catholics were anxious to see him, instead of his having required to see them, as had been distinctly intimated by Mr. Alderman Darley.

Following up the obvious policy of endeavouring to conciliate the prince regent—at that time “in all but name a king;” and also still hoping and believing in his friendly intentions, notwithstanding some ominous indications, on his part, of want of sincerity, if not of worse, the Catholics met, in aggregate meeting, on the 8th of March, at the Fishamble-street theatre, to address him on the occasion that had called him to the throne, and record their utter dissent from the conduct of the Perceval ministry, in unconstitutionally limiting his powers in his new office.

Mr. O'Connell made two speeches on this occasion. The first was simply explanatory of the objects of the meeting, and introductory of an address drawn up in conformity with those objects. Its adoption was seconded by Mr. Sheil, in a speech of great talent, and carried unanimously; as was also a motion that the address should be presented to his royal highness by the following noblemen and gentlemen:—Earls Shrewsbury, Fingal, and Kenmare; Viscounts Gormans-town, Netterville, and Southwell; Lords Trimleston and Ffrench; Sirs Thomas Esmond, Edward Bellew, Hugh O'Reilly, Thomas Burke, and Francis Goold, Barts.; Major-General O'Farrell; Colonel Burke; Messrs. G. Bryan, R. McDonnell, D. O'Connell, J. Keogh, Owen O'Connor, M. Donnellan, Edward Corbally, T. Wynne, J. Burke, Wm. Cop-pinger, Ambrose J. Roche, Edward Murphy, D. W. O'Reilly, George Browne, E. Taaffe, D. Caulfield, Esqrs.

The following is the newspaper report of his first speech:—

“Sir Edward Bellew—At the suggestion of several members of the Catholic committee, whose wishes are considered by me as an imperative law, I rise to address you at this early period of the meeting on a subject on which universal unanimity prevails. Indeed, it were impossible, in Ireland, to procure among the Catholics, on the

subject I shall submit to you, a single dissentient voice ; need I say that I allude to a dutiful and loyal address to his Royal Highness the Prince of Wales. I shall not consume the time of this meeting, by entering into an explanation of our motives for presenting the address ; and I feel it would be a reproach to induce any argument to justify a measure so anxiously wished for by the Catholics of Ireland. We owe it to his royal highness to express, with heartfelt gratitude, our unfeigned thanks for the many favours and benefits conferred on us by his revered father, to whom we are perhaps indebted for the privilege of meeting here this day.—[Here Mr. O'Connell took a summary view of the political state and incapacities of the Catholics, at the accession of his Majesty to the throne]—when, he said, they were excluded from every situation of trust, honour, and emolument ; when the then existing laws sanctioned the breach of every honourable principle ; when there was hardly a grievance or degradation that man could be subject to, that the laws did not inflict on the Catholics of Ireland. Thus stood the abominable code at the period of his Majesty's accession, and such hardships and slavery did it impose, that the mind cannot contemplate on it without recoiling with horror and disgust. By adverting to this period of our history, he did not wish to excite religious distinctions ; he did not wish to rekindle hatred and animosity among his countrymen ; his motives were widely different : they were to lay before the meeting the obligations we owed to his Majesty, for the many privileges which the Catholics at present enjoy. Though we continue a degraded race in our native land ; though we still suffer, as we do, the exclusion from every situation of honour and of emolument, yet to the kind interposition of his Royal Highness the Prince of Wales he looked forward for the full and speedy extinction of our slavery. The past conduct of his royal highness assures us that those disabilities which distinguish the Catholic from the Protestant, can no longer continue. Through life, on every constitutional question, he has given the nation a convincing proof of the liberality of his enlightened mind. He has selected the friends and companions of his private life from among the most able statesmen that England ever produced. Who can forget that Charles James Fox was the bosom friend of the Prince of Wales ? (Hear, hear.) Who can forget that the Prince of Wales expressed his anxious desire that the constitutional principles of that immortal patriot should be impressed on the mind of his infant daughter ? Among the confidential friends of the Prince, it be recollected that the Hutchinson family hold a

distinguished place. And here permit me to remind you, that if there be any class of people that owe that great and good family a special debt, it is the Catholics of Ireland. He had almost omitted to mention the name of his illustrious countryman, Mr. Sheridan, who has long participated in the friendship of his royal highness; but he was ashamed for trespassing so long on an occasion like the present, when he found himself incapable of describing the grateful feelings of the Catholic people to his royal highness, to whom they were attached by every principle of loyalty and of gratitude. He lamented that through the misguided folly of our rulers, the country had already suffered too much. It had been involved in deep calamity ever since the baneful measure of Union had been forced upon distracted Ireland. (Hear, hear.) At that calamitous period the argument made use of by the parliament of England, for withholding from the Prince his undoubted right, was, that by appointing him Regent, they preferred him to William Pitt. The offence given to the ministry of the present times seems to be, that the people prefer his royal highness to the usurper, Perceval. It is observable that the moment the Regent was appointed, W. W. Pole set off for Ireland, to misrepresent the Catholics and excite discord. He (Mr. P.) seemed to fear, that in the liberal mind of the Prince something would be found that would drive faction out of its fastness. He took the most decisive measures that his *little mind* could suggest. Although a general committee of the Catholics of Ireland had been established for almost eighty years, he had the audacity to issue his proclamation, declaring that it was an illegal assembly, and that the meeting was guilty of a high misdemeanour. He thus thought proper to pronounce sentence without going to trial; without the interposition of any judge. He said he acted under the advice of a judge, *who is not a native of this country*, and who is, therefore, ignorant of the Irish character. He admitted that the judge was an accomplished gentleman and an able lawyer, but Irishmen would not submit to be ruled by special pleadings and English technicality. But to return to the subject of the letter. It appears that it was the first act of his royal highness's government in Ireland. It was the ill-advised measure of William Wellesley Pole, the secretary of all ages. We know it could not have emanated from his royal highness. As for Wellesley Pole, he was first secretary to the king, then to the usurping protector, and then to the regent; but his first act was for the purpose of putting up the Orange, and dividing Irishmen; but this was not the act of the prince; his confidential friends' conduct,

in both houses of parliament, is a sure pledge that what appeared as the first act of his regency, was unknown to him. The Earl of Moira had disavowed the act, and he was not only a friend to his country, but he was the friend of his prince; he could not speak in terms strong enough of the noble exertions of that great man in behalf of his country; he was the true patriot, not like the men who might vote for the Catholic petition. He would disavow them as they voted at the side of Perceval against their prince—one member for the county he belonged to had done so, and he hoped yet to meet him on the hustings to express the contempt he felt for such conduct. How different was the conduct of the other member of that county; he would not mention him by name, but his grateful country felt his worth—the Knight of Kerry. [Mr. O'Connell then adverted to the address he was about to propose.] It had, he said, the concurrence of the existing committee—it had the approbation of that venerated man, Mr. John Keogh—in short, it had been approved of by all the friends to the Catholic cause, to whom it had been submitted. Mr. O'Connell then proceeded to read the address, which was very concise, and to the following effect:—‘We take leave to approach your royal Highness, to express our heartfelt sorrow for the grievous malady with which our revered sovereign is afflicted. We remember, with gratitude, the many acts of favour and protection which his Roman Catholic subjects have received during his reign.’ It then proceeded to express their confidence in his royal highness, and how providential it was, that, at such a crisis, the nation had such a prince to uphold the principles of the constitution, and to protect it from its foreign enemies; and it assures his royal highness that every hand and heart in Catholic Ireland are devoted to his support. It then proceeds to lament the hateful restrictions with which his royal highness is encumbered, and that the Catholics of Ireland, feeling the delicate situation in which his royal highness was placed, would forbear to enter into a statement of their situation; and it expresses an assurance that they know his royal highness to be their friend; and that, in a recent instance, they had experienced the favour and protection of his royal highness.”

† Mr. O'Connell's second speech, on this occasion, was to compose a difference that had sprung up, relative to an amendment condemnatory of the lord lieutenant, the Duke of Richmond. This was proposed by Major Bryan, but opposed by many influential persons present, on the ground chiefly of expediency;

though some went so far as to praise the conduct of as bad a viceroy as Ireland had a long time known. At length, however, the motion was carried in a modified shape, praying inquiry into what might be the circumstances justificatory of the circular letter we have before given, written by Wellesley Pole, the secretary ; and that if none such could be found, that his royal highness should dismiss the latter, and his principal, the Duke of Richmond.

Counsellor O'Connell—"Sir Edward Bellew, I declare, most unaffectedly, that my feelings are much interested in the fate of this question. On the one hand, if the motion shall pass, it is to be feared that some of our best friends may take offence at it ; on the other, shall it not be acceded to, it may encourage a supposition that we are prepared to submit to every species of insult without expressing our just indignation. A noble lord and two other gentlemen have spoken against it, whose hostility to any measure, in a Catholic meeting, must be considered as almost fatal to that measure ; but in this case it will be forgotten, at a future day, what course of argument they pursued, when their opposition to the measure will be remembered. No gentleman has, however, thought of praising Mr. Pole, although some eulogized the lord lieutenant ; none has been so bold as to attempt that which would rack and exhaust invention to make it palatable. No, sir ; it has been found necessary to squander the public money in purchasing the labours of hireling prints, and their depraved parasites, to bestow diplomatic wisdom on Mr. Pole, and military skill on the redoubtable Lord Wellington. What man in this assembly shall be found voting against any censure of Catholics upon those men who came here under the conviction that they thus stand pledged against your claims, and must be prepared to concur in every measure of a no-popery administration. Any men who could accept offices under a Perceval ministry cannot be friendly to your emancipation. The Duke of Richmond came here as a military lord lieutenant, and I suppose Mr. Pole as a military secretary, expecting, in all probability, that a display of their talents might, at some time, be essential, and particularly amongst the Catholics, as if we could be hostile to an army composed entirely of such. The career of his excellency's life has been a harmless one ; he is fond of amusement and the convivial circle ; but I am not sure that the qualities are such as the government of Ireland needs at this moment ; and I defy his panegyrists to produce others. It has

been said that the Orangemen are put down; but what proof have we for it? I have been informed that a new Orange constitution has been framed within the last eighteen months; if this be true, to what a state will not this country be again reduced. Nothing can be more deplorable than any association which has a tendency to divide Irishmen. Yes, there is, to us, one thing more deplorable; and that is any measure which may create division amongst Catholics. Having said so much respecting the Duke of Richmond, it is but fair to observe, that there is no proof against him in Mr. Pole's letter; nothing can be deemed official from him but his proclamation I do not mean to dispute about words, but let me concede what is right, and say that some more evidence of the duke's concurrence with Mr. Pole, is wanting to justify us in adopting this motion. Is it becoming the dignity of the Catholic body to censure without examination—to condemn without scrutiny? Is it worth our while to divide this meeting about a cabinet clerk? It is quite manifest, that if the honourable mover presses his resolution a division will be the consequence. I think some middle course may be adopted, which may save us the necessity of dividing the Catholics. I am sure the gentleman who brought forward this motion, would not wish to insult the prince, or the meanest individual in society; that gentleman I am proud to claim as my friend; his dignified and spirited conduct, in upholding your character, entitles him, very fully, to the confidence of the Catholics of Ireland. Whatever decision this assembly may come to, I shall, of course, assist, to the best of my abilities, in furthering our common cause; but in the hearing of my countrymen I declare, that the passing of this resolution will provoke the enmity of a powerful party in our own body, with whom the Duke of Richmond is personally acquainted. The great objection to this petition is, that it demands what is impracticable; you address the prince regent to remove the Irish executive, and sure you do not mean to say that it is in his power to do so. See what comes of it—if you agree to this motion, you certainly insult the regent, because you ask him to grant a favour which it is not in his power to bestow, and on his refusal you may be tempted to say, that he will not do all he can to conciliate Ireland. I know the artillery had been prepared to intimidate a constitutional and unresisting assembly of gentlemen. I know the military were at new quarters to co-operate in the mighty plan. I know that the city of Dublin might be compared, on that day, to a place besieged, but all these occurrences are not sufficient to justify a measure not well digested, and which will infallibly

divide the Catholics once more. Let me suggest, by way of accommodating the difference, an amendment; I am not prepared with one, but the substance of it would be, to refer this question to the next meeting of the Catholic committee, for them to consider the propriety of petitioning parliament on the subject; and if the committee shall take it up, and address for the removal of the lord lieutenant and Mr. Pole, there is no doubt but it will take place. I would leave the discussion of this question altogether to the committee; this course of mine may not be the best, but it is well meant; would it not be a cruelty to the Catholics to cause a division amongst them for the sake of Mr. Pole? I may be told, the gentlemen of the committee would be against the introduction of this question; if so, let them decide according to their judgment in the committee, but let us not persist in this miserable practice of counting noses at an aggregate meeting. Gentlemen may say the committee may be wrong, and an aggregate meeting right, and, therefore, persevere in causing a division; I think, although there may be a majority for the motion, the minority will be triumphant. We stand upon high ground at present, let us not descend from it by mean or vindictive measures. I shall not detain you longer, than to entreat gentlemen to consider the fatal consequences of dividing the Catholics. By persevering and carrying this motion, you most certainly will insult the prince, although unintentionally. See what a victory will be to your enemies to put one Catholic name against another when you divide. My God! are gentlemen so wedded to their own opinions as not to yield a little for the sake of unanimity? For my part I am always ready to concede any opinion or measure of my own, when a better may be offered; and I shall always do so when a doubt occurs to me that my own opinion may be correct. I earnestly conjure you not to leave it in the power of your calumniators to say, that you have proceeded beyond the bounds of discretion. I will now move, as an amendment to Major Bryan's motion, that the consideration of this question be referred to the members of the general committee, at their next meeting." X

* On the 20th of April, 1811, there was another discussion in the Catholic Committee, Lord Fingal in the chair, on the instructions to be given to the delegates who were to go to England with the Catholic address and petition to the prince regent. Mr. O'Connell announced the impossibility of his forming one of the number owing to professional engagements;

and supported a motion of Sir Edward Bellew, for disclaiming, on the part of the Catholic Committee, "any right to control the delegates."

The base manner in which the hopes of the Catholics were excited, and the delusive nature of the assurances with which they were fed, of the good will of the prince regent towards them, will appear from a few sentences which we will quote from his speeches on this occasion.

"He earnestly deprecated all division at a time when the Catholics of Ireland were so near emancipation—a moment when the accomplishment of their ardent wishes, the fulfilment of their longing expectations, and the reward of their unwearied labours were in view—when their emancipation was considered at hand Let them not fear that in going forward to present the petition with the address they would offend the prince. Could he suppose such an event; he (Mr. O'Connell) solemnly declared, from the feelings of genuine loyalty in his heart to the prince, he would give up any question sooner than incommode his royal highness. But it was not the case. The prince has shown how he regards the true principles of the constitution such a petition would give satisfaction, not displeasure, to him, and so he would venture to prophesy; the delegates would find it." ^

The bigoted and pettifogging hostility of the ministry to the Catholic claims continued to betray them, during the course of this year, into several of those "mistakes" which, in matters of state policy, are held by those who assume to be authorities as to statesmanship, to be "worse than crimes;" both designations, however, apply to the acts of the English government in 1811, as, unfortunately for poor Ireland, they apply to the acts of her English governors, throughout the weary period of her subjugation.

Amongst the most ludicrous of those "mistakes" was the prosecution for libel of the individual who is known to fame in Ireland, as "Watty Cox," proprietor of a periodical of a strange *rollicking* character, which he entitled *The Irish or Watty Cox's Magazine*. One of Mr. O'Connell's speeches, in mitigation of punishment, will give the reader some idea of the man and his publication. Cox was found guilty on

two indictments, and sentenced to the pillory, and to imprisonment. *

Mr. O'Connell.—“My lords, I am compelled to intreat your attention to a few observations, by the particular request of my unfortunate client. Had I merely consulted my own feelings and judgment, I certainly should consider anything from *any man* unnecessary, after what has been so powerfully submitted to your minds, by the talents of my eloquent and able colleague. I not only consider it unnecessary, but justly apprehend that it may prove injurious, by diminishing the impressions which his address must have created on this court. My lords, attempts have been made to blacken my client's character, by describing him as a systematic and common libeller; I trust that insinuations of this description can have no weight on this court, or diminish the claim of my client on its mercy. If he has been a libeller on any other occasions, he is liable to be tried for such productions, and to be punished if convicted. It is, in truth, a libel on the law officers of the crown, to insinuate that they would suffer to escape from their notice such libels as could affect the safety of the state; it is, of course, the present duty of the court to dismiss from their minds every other blameable publication, and confine their attention to the publication immediately before them. This publication is written in a manner which must greatly circumscribe the range of its mischief—absurd and unintelligible, extremely vulgar but extremely obscure—levelled to the language of the common people in its expression, but entirely hid from their understandings by its incongruity. Thus it is unintelligible to those on whom the mischief could operate; and it carries its own antidote to those who have the ingenuity to extricate any meaning from the wretched mass of absurdity. That the production must be quite unintelligible to the common people, clearly appears from this circumstance:—The writer, when speaking of the abominable tyrant of France—I use the words of my client, in which, in his affidavit, he describes the present ruler of that country, I would be understood as incapable of applying such phrases myself to any man—the writer, I say, in speaking of that character, clothes him in trophies, emblems, and various adjuncts, not only very ridiculous but inapplicable, and in no place suitable or characteristic, quite unfit to unravel his enigma or developé his allegory, but well adapted to make it inexplicable and impenetrable. For instance, he invests the ruler of France with those naval characteristics only adaptable to a

resistless naval power that rides on the wave the lord of the ocean ; *how, when, where*, did he acquire trophies and honours of that kind ? Was it at Camperdown, St. Vincent's, Aboukir, or Trafalgar ? Few could understand the character under so awkward, so strange a description—few could know the man, when decked in attire so suitable to conceal or to mislead.

“ My lords, as to punishment by considerable fine, strictly speaking, punishment of any kind cannot affect him in a pecuniary way. His poverty protects him in a pecuniary way ; but though a considerable fine cannot affect him in a pecuniary manner, it may affect him in a manner particularly severe, because it may, indeed, in effect it must, amount to the punishment of perpetual imprisonment. Perpetual imprisonment is unknown to our law ; nay, it abhors imprisonment that is measured by *years* ; and although such punishment has been sanctioned by the judicial severities of modern times, it was entirely unknown to the merciful wisdom of the law of our fathers—the common law of the land. The common law abhors a lengthened imprisonment, that melancholy, miserable, emaciating punishment, which shuts a man out from the fruits of industry, the comforts of society, the joys of his fireside.

“ The common law is slow in inflicting such a punishment ; and that high crime of unjustifiable homicide—the highest of all crimes not punished with death—the wantonly sporting with and destroying the life of another, the common law considers as sufficiently punished by imprisonment for a single year. Punishment by fine in this case cannot operate against *income*, but may against *industry* ; it cannot reduce competence to poverty, but may reduce poverty to want ; his family are fed by his labour ; exclude him by imprisonment from the opportunities of labour, and you will punish the children for the crime of their father, and decree that the innocent should suffer with the guilty. I shall not resume the same line of argument by which my learned colleague has established, that this is the same crime for which he has already suffered, and that by punishing him in this instance you punish him twice for the same offence. The two accusations form one crime or they do not ; if they form one, he should not be punished, because he has been punished already : if they form two, the first should not be adduced to aggravate the second, because he has already suffered for the first. I shall not any longer detain your lordships' attention ; I commit my client to the clemency of the court, in the confident hope that you will feel it to be your constitutional duty not merely to punish the incidental licentiousness, but also

to preserve the exercise of a free press, that invaluable blessing to which we are indebted for the rights which we enjoy—you for the dignified stations which you fill, and your king for the throne on which he is placed.”

About this time Mr. O'Connell received a handsome address from the Catholics of Dingle and its vicinity, for a speech of his at an aggregate meeting, held in Fishamble-street, Tuesday, May 28, 1811, to petition against the measure of exchanging the militias of the two kingdoms. The following is the speech as reported, with confessed imperfections, in the *Freeman's Journal* of May 30, and a promise is there given of a better report in a few days—which, however, never was given:

“Mr. O'Connell congratulated the meeting upon its unanimity, and upon this circumstance, that Protestant gentlemen of so much respectability had taken a part in their proceedings, from which he inferred that the cause of the Catholics had become the cause of Ireland; and he observed, that if it were not for the miserable divisions that had hitherto existed in Ireland, it would be an aggregate meeting of the freeholders at large, that would be now assembled to protest against the bill. Mr. O'Connell then proceeded to show, from the original institution of the militia, that the bill was a most unconstitutional measure, but that he had no idea of discussing it further than as it concerned the Catholics themselves, though, from the operation of balloting, it was a most important concern of every man in the kingdom. He said if he were drawn for the militia, and could not procure a substitute, or if a substitute was not allowed, he would not volunteer, and would endeavour to persuade his comrades to follow his example.

“Every Catholic soldier must hesitate before he ventures to a country where the rights of his religion may be denied him. It is well known what the feelings of Mr. Perceval are towards the Catholics; witness his conduct towards Maynooth, an establishment which he declares his regret, publicly, was ever formed—he whose wish it is that the Catholic clergy should starve. Is it the duty of the Irish clergy to persuade the Catholic soldier to volunteer to a country where he is himself proscribed? As it was found impossible, in this country, to separate the clergy from their flock, this bill is to tear away the flock from their clergy.

“Mr. O’Connell then adverted to Lord Sidmouth’s attack upon the dissenters, which had been defeated by the dissenters themselves, whose constitutional firmness and unanimous proceedings ought to be a lesson for the Catholics of Ireland. They had nipt the attempt of their enemies in the bud. They had shrunk appalled from their measures. Lord Sidmouth was panic-struck when the House of Lords was assailed by 500 petitions from the people; he became dumb, and intolerance was vanquished. This measure of Lord Sidmouth was but part of a grand conspiracy against all religions but their own. Mr. Pole’s circular letter was another act of the conspiracy. This bill formed another part of it, to take away our native army from us, as the army of Romana had been sent out of Spain by Bonaparte. In aid of this conspiracy Mr. O’Connell said he would read a document from an Orange Lodge in Dublin, dated the 24th day of April last; a hellish association, which Mr. O’Connell stated was encouraged again to renew its atrocities, although every respectable and enlightened Protestant in the country beheld it with disgust and horror.

“Mr. O’Connell then adverted to the circular letter of Mr. Pole, which it appeared had originated with the Lord Chancellor and the Attorney General, upon both of whom Mr. O’Connell animadverted with great severity, and then returned to the bill, which he observed was not a transfer, but an annihilation of the Irish militia—to talk henceforward was idle. The moment a militia soldier is enlisted he is liable to service in all parts of the United Kingdom, and a militia soldier is entitled to no privilege in England, as such, and when there, he becomes like nothing, or like anything but a German soldier.

“Mr. O’Connell made use of several other arguments, and contended that it concerned the Catholics ‘to keep watch and ward’ over every act of Mr. Perceval.”

‘The question was then put and carried unanimously.

It was then resolved that a committee of five gentlemen be appointed to frame the petition, viz., Mr. Keogh, Dr. Dromgoole, Mr. Lawless, Mr. M’Donnell, and Mr. Finlay; and they having retired, shortly returned with a copy of a petition to the House of Commons, which being read, was unanimously adopted; as was another, to be presented to the regent, after which the meeting adjourned.

The address to Mr. O’Connell, from Dingle, in testimony of

their approbation of the sentiments he delivered on this occasion, was adopted at a meeting described as of "the clergy, gentlemen, magistrates, and freeholders of the town and vicinity of Dingle, held in that town on the 15th day of June, 1811, in pursuance of public requisition, Mathew Moriarty, Esq., in the chair," and was as follows:—

" TO DANIEL O'CONNELL, ESQ.

“**SIR**—We, the gentlemen, clergy, magistrates, and freeholders of the town and vicinity of Dingle, assembled pursuant to a public requisition, desire to express to you our sense of your unwearied exertions in advocating the cause of our Catholic countrymen.

“We are particularly anxious to convey to you our decided approbation of the manliness, candour, and perspicuity with which you have, at the aggregate meeting of the Catholics of Ireland, held in Dublin, on the 28th ultimo, developed the tendency of the intended transfer of our militia, and displayed the machinations of those deluded men, who style themselves Orangemen and Purplermen.

“We anticipate from your exertion of talent and constitutional firmness, the most beneficial consequences; as that exertion has, we trust, roused to the consideration of these subjects, every individual who feels interested in the welfare of the country, from the prince to the freeholder.

“Your object is the same as ours: to prevent internal feuds and animosities, which have been hitherto so injurious to our unfortunate country; and to promote that unanimity which can alone save and exalt those realms.

“We request of you to accept our most cordial thanks as a small tribute of merit pre-eminently resplendent on every occasion.

“And be assured, that it has made an indelible impression on us, who repose a pleasing confidence in your exertions; disregarding and despising party feeling, and looking only to the cause of our native country, equally dear to us all.

“Signed, by order,

“EDWARD FITZGERALD, Secretary.

“Dingle, 15th June, 1811.”

Mr O'Connell's reply was in the following terms:—

“**GENTLEMEN**—Your address has surprised me almost as much as it has pleased me. I cannot but owe it to your friendship, that you have noticed so humble an individual. I am proud of your approbation.

“The principle on which I have been, and am the advocate of Catholic Emancipation, is not confined to Ireland. It embraces the causes of the Dissenters in England, and of the Protestants in the Spanish and Portuguese territories. I need extend it no further—the crime of intolerance is now confined among Christian nations—almost exclusively to England and her allies. Arbitrary as the military ruler of the French may be, and enemy as he is of civil and religious liberty, he has had too much common sense to commit the useless and absurd injustice of violating conscience.

“For my part, I hate the Inquisition as much as I do the Orange and Purple system; and for the same reason. The man who attempts to interfere between his fellow-man and his Deity is, to my mind, the most guilty of criminals.

“You call our country unfortunate—she is unfortunate through the

disension of her children—disension has degraded her character, and annihilated her constitution.

“In the name of religion, of charity, hate and rancour have been disseminated; but a brighter era, I trust, approaches; and now it is the sacred duty of every man who is faithful to his king, and attached to the independence of his native land, to contribute his best exertions to extinguish every cause of animosity and pretence for disunion.—I have the honour to be, with great respect, your deeply indebted and faithful servant,

“DANIEL O’CONNELL.”

“Merrion-square, June 17, 1811.”

There have been many petty sneerers at Mr. O’Connell for “inconsistency,” when it has occurred to him to change his line of policy in some particular, on finding himself partially mistaken. It would puzzle these “small deer” to point out, at what time, of his long political career, he has ever spoken, or acted inconsistently with the convictions and sentiments of the foregoing letter.

His speeches against the Union, beginning with that of 1800, and constantly occurring throughout the long years since, up to the present day, will supply another test. One of them delivered some weeks before the date of the occurrence just noted, is so brief, that we give it here, instead of throwing it into the appendix. The occasion was a dinner given in May 7th, 1811, by the Catholics, to several of their Protestant friends.

“Major Bryan proposed the health of Sir James Riddall whose absence he regretted was from indisposition. To this toast was added, at Counsellor O’Connell’s suggestion,

“The Repeal of the Union.

Counsellor O’Connell—“Gentlemen, when I proposed that a Repeal of the Union should be coupled with the name of that virtuous patriot and friend to his country, Sir James Riddall, I was fully impressed that it is the only real Irish question; and, allow me to say, that every Catholic in this meeting must regret the absence of that worthy Irishman, and the more so, as I understand it is occasioned by severe illness. If in this assembly any Irishman hears me who has mistaken the true interests of his country (as we all are liable to err), and approved of that fatal law, the act of Legislative Union, this is a glorious opportunity for us to speak our sentiments, and, by deprecating so disastrous a measure, convince him that there is but one

opinion on the subject in Ireland. This, I believe, is the first time Catholics and Protestants have publicly assembled at the festive board—alas! the first time we have sought access to each other's hearts. If such meetings shall frequently take place, and I trust in God they will, it is impossible that your great and ancient nation—your nation famed for every physical good which can make existence valuable, and which has given birth to the best and bravest of the human race—it is impossible, I say, that any minister can tyrannize over you, or any foe effect your subjugation. If the spirit shall go abroad which pervades this meeting, it is too much to expect that your enfranchisement is at hand; that your parliament must be restored! As it is the habit of men who follow my trade to talk much, you may, perhaps, fear that I trespass on your attention; but I shall be brief. A bigot—be he of what profession he may, whether Catholic or Protestant; of what rank soever, whether monarch, peer, or peasant; whether his brow is encircled with a diadem, or his body enveloped with rags—is a bigot to me. Louis XIV. disgracefully treated a brave and skilful warrior, Admiral Duchene, because he was a Protestant; and Louis XIV. was, therefore, an outrageous bigot. Our gracious prince, who is the parent of his Irish people, has given an earnest of what we may expect from him, by refusing to comply with the corrupt requisition of a minister; he will unite us, and thereby have, instead of one regiment of his own Irish, an entire nation."

In the same paper which contains the Dingle address to Mr. O'Connell, (*Freeman's Journal* of Thursday, June 20, 1811,) there is a brief report of an incident of great interest, which occurred in the British House of Commons, on the 14th of June, in a debate on a bill relative to a drawback on spirits.

The following is the *Freeman's* article, containing the report of the incident in question:—

"REPEAL OF THE UNION.

"To the support of a measure, in which the well-being and political existence of Ireland are so materially concerned, we consider the *Freeman's Journal* as peculiarly, and in an especial manner, bound. A time will come when we shall speak more decided language on this subject; at present we revert to it with a degree of satisfaction, which it would be difficult for us adequately to describe. ●

"In the debate upon the distilleries, Colonel Hutchinson—to

whom, and to whose family we have so often had occasion, in the name of the country, to address our thanks—has expressed himself upon the baneful consequences of this unhappy measure, in such unequivocal and glowing language, that we shall, in this place, quote the entire part of the discussion in which the subject is mentioned. It is true that the reader will find it substantively detailed in the report we publish of the debate; but the following is a more accurate account, and has more *Irish* and characteristic feeling than any which will be found in the London papers:—

“ ‘Even now,’ said Mr. Hutchinson, ‘Great Britain will thankfully receive, in her necessity, the raw material, the corn from Ireland, while she would illiberally attempt to exclude spirit—the manufacture from that raw material. A free trade, upon no duties, or equal duties, was the principle of the Legislative Union. This principle has been effected with a vengeance as against Ireland; but when she required the same principle to be acted upon as against Scotland, her trade was interdicted, and the Union violated. Admitting, however, that the Irish distiller did reap some advantages from the spirit trade of Ireland with this country (England), was she, therefore, to be deprived of the trade itself? If so, *would they restore to this country all that she had lost by the degrading and abominable measure of the Union?*’

“ [Here the honourable gentleman was interrupted by loud cries of ‘order, order,’ ‘chair, chair.’]

“ The Speaker (Abbott)—‘The honourable member will do well to recollect that *such is not the language which it becomes this house to hear* or him to use, in speaking of a *grave and solemn* act of parliament.’ (Cries of ‘hear, hear, hear.’)

“ Mr. Hutchinson—‘Sir, I trust I am incapable of using language unworthy of this place, or of myself. In saying what I have said, I have obeyed the dictates of feelings of which I am not ashamed; and while I know them to be just, I know not why I am to suffer the expression of them to be dictated to me.’

“ [Here the cries of ‘order, order,’ ‘chair, chair, chair,’ became louder and more general.]

“ The Speaker—‘The honourable member will be pleased to see the necessity of conforming to the usages of this house, in the expression of his opinions.’ (Hear, hear, hear.)

“ Mr. Hutchinson—‘To conform to the usages of this house I am in every way disposed (hear, hear,) but my first right as a member of it is what I shall never willingly resign. (Order, order.) If pri-

vilege of speech be not the right of every member of this house, I know not what is. I have always thought it to be the right of every member of this house, what he feels honestly to declare boldly. My feelings with respect to that measure of Union have been strong and uniform. When it was first proposed, I foresaw in it danger to this country; in the danger, the degradation and the ruin of my own; and, as a common friend to both, I resisted it by every means within my power; and am I now to be denied the melancholy privilege of deploring the humiliating state to which that measure has reduced my country, by making her a party in effecting her national extinction? Am I to be denied the right of complaining that she has been tricked out of her independence by promises which have been all violated, and hopes which have been all blasted? If, however, after all this, it be the secret determination to rob her gradually of the very few advantages, and those, too, of partial operation, to which, under even such an act, she may be entitled, why, then, let but gentlemen avow this, and let the Union be dissolved.' (Hear, hear.)

"We have not much reason to boast of many of the Irish members; but when we have such men as a Hutchinson—men who glory in the name of poor and deserted Ireland, why should we despair of ultimate triumph? The material and the spirit exist; time will produce, and at no distant period, the renovation and re-establishment of our country."

The petition which had been drawn up for the meeting against the exchange of militias between the two kingdoms, and which had there been adopted, met with Mr. Grattan's disapprobation, as containing language which, he stated, to render it unfit for presentation to parliament. This opinion of his was announced at a meeting of the Catholic Committee, on Monday, June 10. After several gentlemen had expressed their sentiments, either of concurrence or disagreement with Mr. Grattan, Mr. O'Connell interposed in defence of the petition:—

† "He said that he did not mean to trespass more than one moment on the time of the meeting in giving his sentiments on this question; for however gentlemen might differ in opinion, either as to the form or substance of the petition adopted by the last aggregate meeting, yet he rejoiced to see that there was but one feeling evinced by the committee, and that unanimous feeling was to do the Catholic body justice. He concurred altogether in what had fallen from Mr. Keogh.

The language contained in the petition, where applied to the present administration, was strictly true ; but if it were so informal as not to be presentable, in its present shape, he did agree, (though he might be wrong,) that it were better to amend than to subject the Catholics of Ireland to insult.

“ It was the opinion of Mr. Grattan that the petition was not, in its present form, presentable to the House of Commons, and to such an authority the highest respect was due. Of that illustrious statesman he would never speak without being animated with enthusiasm. No man ever distinguished himself in the senate house as Mr. Grattan had done on the last Catholic debate, during his spirited and manly reply to the arguments of that intolerant bigot Perceval. I have been informed that that little contemptible creature assumed more the appearance of a convicted criminal, receiving the just sentence of the law, than of a man placed at the head of the government of England. The committee should not have met, even once, without adopting a resolution of thanks to Mr. Grattan ; and he trusted they would not separate to-day until they had expressed the gratitude of the Catholics of Ireland, for his great and unrivalled exertions in advocating their cause. He observed, that with regard to new modelling the petition, the opinion of Mr. Grattan was entitled to the greatest respect. But his objections were applicable to the House of Commons only, after the bill having passed that house, and not the House of Lords. He denied that the members composing the delegation had any power to alter or amend the petition of an aggregate meeting. If the committee were to consent to innovations of this kind, the consequences would be fatal to the Catholic interest, for, in doing so, they would convert the delegates into a species of ambassadors, and invest them with a power quite foreign and distinct from the nature of their appointment. If it should be found that there is something informal in this petition, let us revise it, either by calling an aggregate meeting for that purpose, or let us adjourn until next Saturday, by which time we shall have fuller information on the subject. For himself, he had no hesitation in saying, that he approved of the petition in its form. He denied the argument of a gentleman opposite, who asserted that it was a libel on the Protestants of England and Ireland ; to them it had not the slightest nor the most remote application ; it was solely applicable to the bigoted proselyting system encouraged and acted upon by the present administration. He begged leave to recommend an adjournment for a few days, and if, after that period, it should become

necessary to take steps in order to revise the petition, let the committee take the necessary measures, distinctly and manfully, by calling an aggregate meeting.

"He would conclude by moving the question of adjournment until Wednesday.

"The motion was carried after a few remarks from some other gentlemen present, and the committee adjourned." S

* It was subsequently not thought necessary to alter the petition, had even time allowed, which, however, was not the case, as the Catholic claims were speedily after brought under discussion in parliament.

Cheered by their success in the first collision with the government this year, the Catholics determined to vindicate the right to petition, by a repetition, on a larger scale, of the movement which had occasioned that collision; accordingly at an aggregate meeting, in Fishamble-street Theatre, on Tuesday, the 9th of July, the Earl of Fingal in the chair, the following resolutions (drawn up by Mr. John Byrne, in the absence of Mr. O'Connell, who happened at the time to be actually engaged in a pending cause of considerable importance to the parties) were unanimously adopted:—

"That being impressed with an unalterable conviction of its being the undoubted right of every man to worship his Creator according to the genuine dictates of his own conscience, we deem it our duty, publicly and solemnly, to declare our decided opinion and principle, that no government can, with justice, inflict any pains, penalty, or privation upon any man for professing that form of Christian faith which he, in his conscience, believes.

"That we shall, therefore, persevere in petitioning the legislature for a total and unqualified repeal of the penal laws, which aggrieve and degrade the Catholics of Ireland.

"That in exercising this undoubted right by petitioning, we shall continue to adhere to the ancient principles of the constitution, and to conform also to the peculiar restrictions which, by modern statutes, are imposed on the people of Ireland.

"That a committee of Catholics be, therefore, appointed, and requested to cause proper petitions to be forthwith framed for the repeal of the penal laws, and to procure signatures thereto in all parts of Ireland, and to take measures for bringing such petitions under the serious consideration of the legislature, within the first month of the ensuing session of parliament.

"That the said committee do consist of the Catholic peers and their eldest sons, the Catholic baronets, the prelates of the Catholic Church in Ireland, and also ten persons to be appointed by the Catholics in each county in Ireland; the survivors of the delegates in 1793 to constitute an integral part

of that number; and also of five persons to be appointed by the Catholic inhabitants of each parish in Dublin.

“That the appointment of the said persons be made forthwith.

“That it be recommended to such committee to resort to all local and constitutional means of maintaining a cordial communication of sentiment and co-operation of conduct amongst the Catholics of Ireland, and generally of promoting the favourable reception of their petition.

“That until the new committee be appointed, the management of Catholic affairs shall be confided to the Catholic peers, baronets, and survivors of the delegates of 1793.

“That the sum of £500 be offered to our invaluable secretary, Mr. Hay, as a small tribute of Catholic gratitude.

“That the sum of £500 be collected and presented to William Todd Jones, Esq., for his eminent services to the Catholics of Ireland.

“That a subscription be set on foot for the relief of Mr. Finnerty, now lying in Lincoln gaol.

“That the thanks of the Catholics of Ireland are due, and are hereby given, to the Earl of Donoughmore and the Right Honourable Henry Grattan.

“That the thanks of the Catholics of Ireland are due, and are hereby given, to the Bishop of Norwich, the Marquis of Lansdowne, the Marquis of Downshire, the Earl of Moira, Lord Holland, and the other noble lords who supported our cause in the House of Peers.

“That the thanks of the Catholics are due, and are hereby given, to Mr. Whitehead, Mr. George Ponsonby, Sir John Newport, Mr. Hutchinson, Mr. W. Smith, General Mathew, Mr. Parnell, Mr. Tighe, Mr. Prittie, and the other gentlemen who supported our petition in the House of Commons.

“That the thanks of the Catholics of Ireland be given to John Finley, Esq., for his splendid exertions in the cause of religious liberty.

“FINGAL, Chairman.

“Captain Bryan in the chair.

“Resolved—That the cordial thanks of this meeting are hereby given to the Earl of Fingal, for his polite and dignified conduct in the chair.

“EDWARD HAY, Secretary.”

Mr. O’Connell, who arrived but a very short time before the meeting closed, spoke on the occasion as follows:—

“He said he had one word to say, and only one word. Labouring under the effects of indisposition, he was ill able to speak at length, as well on the propriety of adopting the resolutions proposed, as on the necessity of the meeting preserving unanimity. In the propriety of the resolutions he concurred, but particularly in that one which gives to the people the free, unbiassed, and constitutional right of re-electing a committee. But it was his duty to point the attention of the aggregate meeting to a particular statute—the statute which gave rise to the never-to-be-forgotten circular letter of W. W. Pole. It was scarcely necessary to say that

though this circular letter met with successful opposition from a virtuous and incorruptible portion of the Catholic body, yet the Convention Act, which gave birth to it, still exists. He was a barrister—he would not venture to say he was a lawyer; but being a barrister, he thought it right to apprise his countrymen of what he conceived to be the true construction of the statute. He was clearly of opinion, in opposition to the sentiments of our law officers of the crown, and to their joint production, well termed by the Chancellor of England, the slovenly letter of W. W. Pole, that there was no provision in that act which went the length of preventing any class of his Majesty's subjects from meeting for the sole purpose of preparing a legitimate petition to parliament. However, it is owing to this statute that the Catholics of Ireland did incur any risk in adopting the present resolution; and were it not for the apprehension of packed juries and perjured verdicts, the Catholics had nothing to fear. He was persuaded, if the integrity of the juries and judges could be relied on, and he felt a pride in saying that the most, if not all of our judges were pure and virtuous, the Catholics, in adopting the resolution, run no risk of transgressing the statute. The law was on the side of the people; and should the law officers of the crown, who, in the course of to-morrow, will review with jaundiced eyes our proceedings—who may hear of his sentiments and of the resolutions, before he had done speaking—should they have the temerity again to call our committee an illegal assembly, and to advise prosecutions, at the suit of the king, against his faithful Catholic subjects, there is but one remedy, and that is, to dutifully submit. And again, should there be no change in his Majesty's health, to address the Prince Regent. It shall never be said of the Catholics of Ireland, that they entered into any temporizing measure, or mean compromise, with those vested with 'brief authority' on this side the water—those underlings of Perceval, 'who call us slaves, and tell us 'tis our charter'—but carry our grievances to the foot of the throne. He thought the adoption of the resolution was a justifiable experiment. He considered it a legal experiment, and he cheerfully offered himself as the first victim of prosecution. If any one parish in the city of Dublin would do him the honour of electing him to represent them in the Common Council, he was ready to give in bail, and let the legal question, arising on the construction of the statute, be thus settled. He did not think it necessary, nor was he able to say more on this subject. He then paid a handsome compliment to the talents of the Protestant barrister, Mr. Finlay, for the very eloquent speech

he had delivered. He said, in hearing his highly-esteemed friend, he had felt a sensation of delight which before he had seldom experienced. He entirely concurred with his learned friend, in eulogizing the liberality of sentiment of the several Protestant divines alluded to; and, in addition to those particularly mentioned, the name of the Bishop of Norwich, and Rev. ——— Knox. But he hoped there were many instances of a corresponding liberality of sentiment to be found among the clergy and laity professing the Catholic religion. Of the latter he begged leave to state an historical fact, recorded in Marshal's History of Washington. The different States of America were inhabited by persons professing different religions; New England, by Puritans; Pennsylvania, by Quakers, &c., &c.; there being but one province, Maryland, inhabited by Catholics. The historical fact is this—that religious persecution, intolerance, and exclusion on account of religion, were adopted as the law of the land in all the States, with the sole exception of that province which the Catholics inhabited; and to their immortal honour, they subdued their prejudices, and established general benevolence and unlimited toleration. He begged pardon for having so long trespassed—it was not his intention to have said more than one word.”

Against several of the gentlemen who attended this meeting, the government commenced active proceedings: viz., against Messrs. Edward Taaffe, Thomas Kirwan, Edward Sheridan, John Joseph Burke, John Breen, and ——— Scurlog. They were arrested in August, under the warrant of Chief Justice Downes, against whom separate actions were brought, for the arrest. On Wednesday, the 20th November, the writs in these actions—three to be tried in the Exchequer, and the others in the Common Pleas—were served upon him just as he was stepping into his carriage to go to the Four Courts.

On the following Thursday, the first of the trials of those gentlemen came on. Dr. Sheridan was first arraigned; and, after a trial of two days, a verdict of “NOT GUILTY” gave the Catholics a second triumph over the paltry government of the day.

The government determined to try another fall with its successful opponents. Before, however, stating the circumstances, a great demonstration of Catholic gratitude to their friends is to be recorded. It was a great dinner given by them

to "the Friends of Religious Liberty," and intended as a special compliment to their Protestant friends in parliament and other high places. The following were among the guests who attended:—

HENRY GRATTAN,
JOHN PHILPOT CURRAN, Master
of the Rolls,
MARQUIS OF DOWNSHIRE,
EARL OF MEATH,
EARL OF GRANARD,
LORD CLONCURRY,
LORD ROSSMORE,
LORD DUNSANEY,
LORD LISMORE,
LORD ARTHUR HILL,
LORD FORBES,
GENERAL MAHON,
GENERAL COCKBURN,
HON. MAJOR STANHOPE,
HON. MR. STANHOPE,
(Sons of Lord Harrington,)

HON. JAMES BUTLER,
HON. C. H. HUTCHINSON,
HON. A. HUTCHINSON,
SIR MARCUS SOMERVILLE,
SIR NEAL O'DONNELL,
SIR SAMUEL BRADSTREET,
SIR JOHN MEREDITH,
R. LATOUCHE, M.P.,
JOHN LATOUCHE, M.P.,
H. PARNELL, M.P., (late Lord
Congleton,)
COLONEL TALBOT, M.P., (now
Lord Talbot, de Malahide,)
KNIGHT OF KERRY, M.P.,

. The dinner was of the most costly description, and the proceedings at it full of cheering hope for the country. During the progress of the long list of toasts, some most animated sentiments of patriotism were delivered by the distinguished guests, and loudly cheered; but no one awoke such a thunder-peal of applause as did Lord Cloncurry, when, in returning thanks for his health, he, after exhorting the Catholics to persevere in looking for emancipation, added—"Perseverance, too, will accomplish a Repeal of THAT INFAMOUS MEASURE, THE UNION! (unbounded applause.)"

Mr. O'Connell's speech was as follows:—

- "My lord, I beg leave to join in that tribute of thanks so properly offered by my honourable friend to my Lord Lismore. In our humble exertions to contribute to the comfort and happiness of this meeting, we have but discharged a debt due to such illustrious guests, for favours already conferred; and I am sure the Catholics of Ireland can never be ungrateful to their benefactors. Who are they that have already broken many a link of our galling chain?—the Protestants of Ireland! And it is to them we confidently look for the dissolution of the remaining links. The noble lords who have

assembled here this day, will, by such an example, assuredly put an end to those unfortunate feuds which have so long disgraced our country. They have imposed an additional debt of obligation on us. They have shown their determination to save our common country, to preserve the throne of the most revered monarch on earth, and the best constitution in the world. They are willing to arm the finest and bravest peasantry in existence, in defence of the empire. When I look around me, and see the reverend ministers of the gospel, and our gallant generals flanking them, I cannot but exclaim, that the empire is already saved! You have, my Protestant brothers, an interest in the hearts, and a control over the hands of one million of men, as brave and hardy a race as ever the world saw; let the enemy come when he may, your liberality will recruit a mass of unbought millions. I have the honour of bearing my very humble testimony to the worth of our noble chairman, who has been ever upright and consistent. The life, and blood, and spirit of every Catholic in Ireland is with him. Having briefly given my genuine sentiments, I wish that the recollection of this day should never be erased from your memories. Nor should the remembrance of our friends present be ever lost. The day, the persons, and the occasion of meeting should be immortalized. I beg pardon, gentlemen, for trespassing on you—and shall only now observe, that the principle of religious liberty having been so often, and so ably defined, it is unnecessary for me to say one word on the subject. I would scorn emancipation if it were to injure the poorest of my Protestant countrymen. Let any man prove to me that Catholic emancipation can be detrimental to the meanest member of the Established Church, and I will cheerfully consent to forego it. The principle which has given aid to Spain and Portugal ought to be extended to serve Ireland. That spirit which God has given the human mind cannot be extinguished by human efforts; and for man to interfere with it, is a flagrant act of impiety."

• The next step of the government will speak for itself. The following is the account in the *Freeman*; from its great interest we extract it entire:—

"We have this day a most painful and disheartening duty to perform. We did hope, after the acquittal of Dr. Sheridan, after the constitutional and moderate conduct of the Catholics, we did hope that the administration would have imitated that forbearance—that they

would have suffered the Catholics of Ireland quietly to petition for a redress of grievances. This the administration have not thought proper to do. **THERE WILL BE NO PETITION TO PARLIAMENT.** But we feel no disposition at present to animadvert upon the conduct of the Irish cabinet. We shall content ourselves, at present, by giving a naked and correct narrative of this day's transactions—a day which will be long remembered in the annals of Ireland.

“A few minutes before twelve o'clock, yesterday, Counsellor Hare, a police magistrate, entered the theatre, Fishamble-street, where the Catholic committee were assembled, and took his station beside the chair, which was prepared for the reception of Lord Fingal.

“At two minutes after twelve his lordship arrived; and, upon the motion of Counsellor Hussey, seconded by Counsellor O'Connell, he was called to the chair.

“Mr. Hare was about to address Lord Fingal, when Lord Netterville stood up, and moved that the Catholic petition be now read, which was seconded by Counsellor O'Gorman.

“Mr. Hare now addressed himself to Lord Fingal, evidently with a determination *to prevent the reading of the petition*, and persevered until he had accomplished this object.

“Mr. Hare.—My Lord Fingal, I beg to state what my object is in coming to this meeting. As chairman of this meeting, I have to inform you, that I come here, as a magistrate of the city of Dublin, *by directions of the Lord Lieutenant* (his excellency having been informed that this is a meeting of the Catholic committee—composed of the peers, prelates, country gentlemen, and the persons chosen in the different parishes of Dublin). I beg to ask you, as chairman of this meeting, if that be the case, and what is your object?

“Lord Fingal.—Sir, we have met here for a legal and constitutional purpose.

“Mr. Hare.—Allow me to observe, that that is not an answer to my question;—perhaps you did not distinctly hear me. I ask, is it a meeting of the Catholic committee, composed of the peers, prelates, country gentlemen, and others in the city of Dublin?

“Lord Fingal.—I certainly do not feel myself bound to give you any other answer. We are met for the sole legal and constitutional purpose of petitioning.

Mr. Hare.—My lord, I ask you, as chairman of this meeting, in what capacity are you met?

“Lord Fingal.—We are met for the purpose of petitioning parliament.

“Mr. Hare.—My lord, that is not an answer to my question. I speak deliberately and distinctly, in order that every person may hear and understand me. (Here some little confusion occurred, owing to several persons speaking together.) Mr. Hare.—I hope I have leave to speak (hear, hear the magistrate, from several persons). I beg leave to ask your lordship again, is it a meeting of the Catholic committee, constituted by the Catholic peers, prelates, country gentlemen, and the persons appointed in the different parishes of Dublin ?

“Lord Fingal.—I am not aware that I can give you any other answer than that which I have already given.

“Mr. Hare.—Then, my lord, your answer is, that you are a meeting of Catholics, assembled for a legal and constitutional purpose.

“From several voices.—No, no ; there was no answer given in such terms.

“Counsellor O’Connell.—It is a most unusual thing for any magistrate to come into a public meeting to catechise, ask questions, and put his own construction upon the answers.

“Mr. Hare.—My lord, am I to understand that you decline answering me fully, what meeting you are, and the purpose of your meeting ?

“Lord Fingal.—We are met for a legal and constitutional purpose. .

“Mr. Hare.—I wish to be distinctly understood : I have addressed your lordship explicitly two or three times. Am I to understand that you will give no other answer to my question ? Do you give no other answer ? (Here some confusion arose, in consequence of several persons speaking together—some crying out to have the petition read—others calling on Mr. Hay—and others requiring silence, for the purpose of hearing Counsellor Hare.)

“Mr. Hare.—My Lord Fingal, I addressed myself to you so distinctly, that I thought my question could not be mistaken. I consider your declining to give me a direct answer, as an admission that this is the committee of the Catholics of Ireland.

“Counsellor O’Connell.—I beg leave to say, that as what passes here may be given in evidence, the magistrate has received a distinct answer to his question ; and it is not for him to distort any answer he has received into a meaning of his own—he is to take words in their literal signification.

“Mr. Hare.—My lord, I consider your refusing to give any other

answer as an admission of the fact of this being the Catholic committee.

“Counsellor O’Connell.—Sir, if you please to tell gentlemen such is your belief, it is of no consequence to us : we are not to be bound by your opinion.

“Mr. Hare.—This is an admission of the fact, that this is the Catholic committee ; and I consider your lordship’s refusal—

“(Here the meeting was interrupted by the confusion incidental to a number of persons speaking together.)

“Mr. Hare.—Does your lordship deny that this is the Catholic committee ?

“Counsellor Finn.—No, no : my Lord Fingal has not given you either admission or denial.

“Counsellor O’Connell.—We do not want the gentleman’s assistance to make out meanings for us. Let him not imagine that the character of this meeting can be affected, or that he can bind this meeting by any assertion he thinks proper to make.

“Mr. Hare.—Then I repeat that your lordship’s refusal to give me a direct answer, is an admission that this meeting is the Catholic committee, and, as such, it is an unlawful assembly.

“Counsellor O’Connell.—Mr. Hare is now speaking in his magisterial capacity, therefore, whatever he says give it attention.

“Mr. Hare.—My lord, I say that this is an unlawful assembly, and, as such, I require it to disperse. I beg leave to say, that it is my wish to discharge my duty in as mild a manner as possible. I hope that no resistance will be offered, and that I need not have recourse to those means with which I am entrusted for the purpose of causing the meeting to disperse.

“Lord Fingal.—It is not our intention to do anything improper, or to act in resistance to the laws of the land ; but it is my determination not to leave the chair until I am obliged by some person to do so, in order that I may bring my legal action against the person who shall remove me.

“Mr. Hare.—My lord, I shall remove you out of the chair ; and, in doing so, it will be an actual arrest.

“Here, as might be naturally expected, some confusion arose, in consequence of a noise in the gallery, which, we are informed, was occasioned by police constables.

“Mr. Hare.—My lord, if you’ll have the goodness to leave the chair, that is a legal arrest.

“He then took Lord Fingal by the arm and gently pushed him from the chair.

“On the motion of Counsellor O’Gorman, seconded by Dr. Luby, Lord Netterville was immediately called to the chair, from which he was removed by Counsellor Hare, in the same way that he had put Lord Fingal out of it.

“There was then an universal cry for Lord Ffrench to take the chair. His lordship, who was in a bad state of health, either had not arrived, or was not within hearing of those who called him to the chair.

“The Hon. Mr. Barnwall was then called to the chair; but before he had taken it, Lord Ffrench had arrived, and was proceeding to his post, when, at the recommendation of Sir Edward Bellew, and at half-past twelve o’clock, the meeting dispersed.

“After the Catholic meeting had been dispersed in Fishamble-street, a number of gentlemen repaired to Mr. D’Arcy’s, the Crown and Anchor Tavern, Earl-street, for the purpose of signing a requisition to call an aggregate meeting of the Catholics of Ireland. While the requisition was preparing, Counsellor Hare, accompanied by Alderman Darley, went into the room where they were assembled, and asked whether that meeting was a meeting of individual gentlemen. Being answered in the affirmative, and being about to make a *speech*, Lord Ffrench told him they did not want to hear any of *his speeches*, nor would they listen to them; if he came there for the purpose of *acting*, that he must proceed without delay.

“Mr. Hare said that he merely wished to say, that as they had acknowledged themselves to be a meeting of individual gentlemen, he would not molest them.”

‘ “A Catholic requisition, for an aggregate meeting, to be held on Thursday next, at the Theatre, Fishamble-street, has been drawn up and signed by upwards of three hundred persons.

“We have just learned that Lord Fingal interrogated the police magistrates, after the dispersion of the committee, if he was to procure bail to their arrest, *and that they deny having arrested him!*”

“We should not have said more on this subject, but for the scandalous misrepresentations which appeared last night in a print, avowedly under the orders, and in the pay of government. The

whole detail in that print is evidently morbid: we shall not animadvert upon the minute *facts* told in the course of this report, or upon the gross partiality it manifests. Want of candour and want of truth are the characteristics of the advocates of the Irish cabinet: but when an abandoned falsehood is advanced in this demi-official organ, we feel it our duty instantly to repel the slander. The *Patriot* asserts, that Lord Fingal acknowledged himself as *submitting to the law*, implying, of course, that the magistrate was legally justified in acting as he was commanded. Lord Fingal neither said nor meant any such thing—*submitting to the arrest*, to *force*—nor did he leave the chair, until compelled to do so—but what demonstrates more than words the spirit with which Lord Fingal, as well as that other excellent nobleman, Lord Netterville, acted, is the fact, that both mean to ‘bring their actions against Mr. Hare for a false arrest.’

“We do not wish to hurt our feelings upon this subject any further this day.”

“At a meeting of Catholics, held at the Crown and Anchor, in Earl-street, on Monday, the 23d December, 1811, George Bryan, Esq., in the chair,

“Resolved—‘That a meeting of the Catholics of Ireland be called for Thursday, the 26th instant, and that we do now proceed to affix our signatures to a requisition for the purpose.’

“Resolved—‘That our cordial thanks are justly due, and hereby returned, to our Protestant brethren who have this day attended our meetings; but particularly so to the Viscount Lismore, Hamilton Rowan, John Pratt Winter, and Edward Ruthven, Esqrs.’

“Resolved—‘That a committee of twenty-one be appointed to arrange the business to be submitted on Thursday next to the aggregate meeting, of which Lord Fingal is to be the chairman.’

“GEORGE BRYAN, Chairman.

“EDWARD HAY, Secretary.

“The Hon. Thomas Barnwell in the chair.

“Resolved—‘That the thanks of this meeting are hereby returned to George Bryan, Esq., for his manly and spirited behaviour in the chair.’

“Resolved—‘That the thanks of the Catholic body on all occasions are due to the Earl of Fingal; and more especially for his firm, dignified, and manly conduct this day.’

“Resolved—‘That the Viscount Netterville is, by his spirited attendance this day, justly entitled to our thanks.’

“Resolved—‘That the thanks of this meeting be returned to Lord Ffrench, for his spirited and dignified resistance to inquisitorial proceedings.’

“THOMAS BARNWELL, Chairman.

“EDWARD HAY, Secretary.

“ We, the undersigned, request a meeting of the Catholics of Ireland at ten o'clock on Thursday, the 26th of December, 1811, at the Theatre in Fishamble-street, to take into consideration the propriety of presenting an humble and dutiful address or petition to his Royal Highness the Prince Regent, on the present situation of Catholic affairs:— .

Fingal,	James Taaffe, Dublin,
Netterville,	Sylvester Costigan, Thomas-street,
French,	Laurence Byrne, Wicklow,
Thomas Barnwall, Trimblestown,	John Lawless, Fermanagh,
Charles Ffrench, Castle-Ffrench,	Richard O'Gorman, Dublin,
Edward Bellew, Bart., Baroneath,	George Lynch, county Cavan,
Hugh O'Reilly, Bart., county Westmeath,	Ambrose Moore, Dublin,
George Bryan, Jenkinstown,	John Rooney, Dublin,
Owen O'Connor, Belagar,	John Shiel, Westmeath,
Win. G. Bagot, Castle-Bagot,	P. J. Maguire, county Armagh,
James Nangle, Kildalkey,	Anthony Dwyer, county Tipperary,
John Lalor, Cranagh,	James Tegart, Tanderagee,
Daniel O'Connell,	John Dunne, Ballinakill,
Edward James Boytagh,	Daniel Ryan, Inch House,
P. B. Hussey, Gloucester-street,	P. Smith, Snugboro',
Michael Arthur, Limerick,	P. O'Brien Butler, Dunboyne Castle,
Ambrose Cox, Clara House,	M. O'F. Caddell, Harbournstown,
Peter Ryan, Danganmore,	Joseph Cruise, Longford,
Edward Cox, Clara House,	Daniel O'Reilly, county Monaghan,
J. Cusack, R. Castle,	James McKenna, Monaghan,
Robert Fyan, Dublin,	Christopher O'Reilly, Anaville,
Denis Cassin, Gore's-bridge,	John Korke, Finnistown,
James Cox, Dublin,	Thomas Fitz-Gerald, county Kildare,
James Lalor, Mount Brilliant,	Joseph Barnwall, county Meath,
Thomas K. Lalor, Cregg,	J. Everard, county Sligo,
Thomas Drougole, M.D., Dublin,	Martin Madden, county Sligo,
William F. Finn, Carlow,	John Plunkett, Usher's-quay,
Thomas O'Beirne, Leitrim,	A. R. Martin, Henry-street,
P. O. Plunkett, King's County,	T. F. Madelen, Galway,
Francis Hughes, Dublin,	Philip Langan, Dublin,
David Lynch, Dublin,	John Barrett,
Danel Flattery, King's County,	J. K. Madden, Dublin,
J. D. Doyle, Dublin,	P. Burke, Leinster Hotel,
Mathew O'Reilly, Thomastown,	John Fallon,
John Luby, M.D., Dublin,	Edward French, French-park,
Christopher Taaffe, Hookwood,	John Rowley, jun., Limerick,
J. Burke, M.D., Dublin,	Michael O'Loughlan, Dublin,
Philip Korke, county Westmeath,	George Keogh, Dublin,
C. R. Christian, Rathfriland,	Michael M'Carthy, Cork,
James Byrne, Kilkenny,	Patrick Finn, Carlow,
Christopher Kelly, Dublin,	J. Markey, Louth,
Bernard Coyle, Dublin,	Ambrose Markey, do.,
D. W. O'Reilly, Kildangan Castle,	Edward O'Halloran, Dublin,
George Harkan, Crite, county Roscommon,	Peter Flatter, do.,
John Browne, Dublin,	John Browne, do.,
Nicholas P. O'Gorman, Harcourt-place,	Mark Devlin, county Down,
C. MacLoughlin, Usher's island	Arthur Fegan, county Down,
James M'Guckin, Antrim,	John Keating, Dublin,
William Havron, do.,	John Cormick, do.,
James Bowden, county Down,	Lewis Lyons, do.,
Andrew Jennings, do.,	M. J. Kelly, Duke-street,
John O'Hagan, county Down,	Joseph Farrell,
Luke Harkan Raheen,	William Jones, Rossbreever,
Bernard Plunkett, Elphin,	Michael Mahon, Dublin,
William Kelly, Strokestown,	Edward Smith, Callan,
Matthew Russell,	Thomas Naghton, Rastello,
Christopher Taylor, Swords,	James Meyler, county Wexford,
John Hagan,	W. Keerney, Dublin,
Joseph Ferrall, Longford,	John Burke, Waterford,
Daniel Ferrall, Beech-wood,	Charles Mac Camley, Newry,
Pat. Macmanus, Dublin,	John Andoe, Dublin,
Richard Power, county Waterford,	Richard O'Brien, Dublin,
John Mansfield, county Waterford,	John Glynn, do.,
Pat. Dowell, county Cavan,	Rowland Savage, county Down."
Francis Magan, Dublin,	

• At the meeting thus determined upon, and which took place on Thursday, December 26, at the Fishamble-street Theatre—Lord Fingal in the chair—the Catholics re-appointed their

general committee. Several Protestants attended; and the proceedings were of the most interesting and decided character. At this meeting, Mr. O'Connell delivered the following speech:—

“ He said he was conscious that he was inadequate to do justice to the occasion on which the present assembly had been called together, and to the circumstances which had taken place when they were before met. Whatever warmth, and he thanked them for their warmth, had appeared in the sentiments of the Protestants who had honoured their Catholic brethren with their presence, he trusted that nothing but the calmest moderation would be witnessed in the Catholics themselves, such as had been given them in example by their noble chairman, when insulted by the improper interference of the magistrate. He was grateful to the Protestant gentlemen for their presence and assistance; and he could not help thinking, that though they were at present the favoured party, the cause equally concerned the whole; the liberty of the Protestants could not be secure, if that of the Catholics were invaded or limited. He trusted that the proceedings of all would be cool and firm; tempered with prudence, yet conducted with the most undeviating resolution. The circumstances which had taken place on the 23rd, were of the most afflicting nature to the whole Catholic body. He rejoiced, however, in the manner in which they had been conducted on the part of the meeting and its chairman. Everything had been in obedience, even to the colour of law; the proceedings of the magistracy had carried the law beyond its legal boundary. Every magistrate, upon learning that there was an assemblage of people collected together, certainly had a right to ask whether that meeting was assembled for a legal purpose, or the contrary; but he had no authority to catechise them further; he must act upon the answer he receives. It was, therefore, a matter of the greatest satisfaction that Lord Fingal, by his firm and prudent conduct, in replying to the interrogatory of Mr. Hare, had afforded no precedent upon which such a practice might afterwards be continued. Every assembly had the example of his lordship now before them, and such a precedent, he trusted, would, in its consequences, be a protection against the vexatious interrogatories of ignorance and presumption—of those who might be placed in the office of magistrates. With regard to what had been said by one gentleman a little before (Mr. McNally), he could not assent. The action of Mr. Hare was merely his own, as a magistrate, and the Lord Lieutenant had no concern in being responsible for it; and

he (Mr. O'Connell) would not allow in that assembly anything to be laid to the charge of the Duke of Richmond, for which his Grace was not in every respect accountable. It had been most openly insinuated, that the conduct of the Catholics, in changing the nature of their meeting from a committee to an aggregate meeting, was a plain shrinking from the ground on which they had before stood—a confession, it was assumed, that their former manner of proceeding was to their own knowledge illegal. But it was not the Catholics that had shrunk from their ground, nor from trying the question; it was the Irish government that had shrunk from it. For what was the real question? It was not, was the constituting of an assembly to represent the people an illegal proceeding? for this had never been the design nor the wish of the Catholics; their committee had no pretensions whatever to represent the people nor any part of them; it was constituted merely to prepare and present a petition for a redress of grievances—solely to transact a particular business entrusted to its care. The Catholics would never think of creating a committee of representatives, who should legislate for them, and by whose actions they were to be bound, even were that strictly legal: for how could they rest assured that such a committee would not swerve from its integrity, and betray the trust reposed in it? in which case, the whole of the Catholic body, bound by its own act to these men, would necessarily follow the fate which they had allotted it. The right of representation was not at all contended for: the right of petition was that for which the Catholics had always insisted; and they did not now shrink from a trial of its legality. But it was the crown lawyers who had shrunk from it. He well knew that much labour had been bestowed in order to frame an indictment, which should seem to try the question, but which, in reality, should not try it. They imagined, if it was in any shape allowed to go to a jury, there was no doubt of their success. But he thanked God that now there was an opportunity of bringing them to the point: the late proceedings of the government should immediately be brought forward, as the subject of action, in the Court of Exchequer; to-morrow's sun should not set before it should appear upon record. It should be brought in two shapes—one an action for false imprisonment, the other a special action upon the case; in the last of which the Earl of Fingal and Lord Netterville should be declared to have been arrested at the head of a committee, met for the purpose of preparing and presenting a petition to parliament, and is one of the resolutions of which there was an express averment, that those who

constituted it were no representatives. He was satisfied that here no mode could be afforded of escaping from the true point to be argued. Mr. O'Connell then proceeded to some remarks upon the manner in which the late trial had been conducted; and expressed his dissatisfaction with some part of it. He afterwards went on to say that only to persevere was requisite—a firm and temperate resolution was alone necessary to make the cause ultimately successful. The nation had long felt the justness of the Prince Regent's thoughts on the subject of Emancipation. He had expressed a decided attachment to their cause, as long as it was proper for him to give expression to the sentiment of his own heart, when they were different from those of his father's ministers: no reason had been since afforded to give cause for supposing he had altered his opinion, the only occasion on which he had officially given his own sentiments; they had been decidedly hostile to Mr. Percival, the most formidable of the ministers whom the Catholics had to oppose; and the Prince had declared that it was only in obedience to the wishes of his father, that that minister was retained in his situation. After a few more observations on the justice and the approaching success of the cause, Mr. O'Connell sat down amidst the applauses of the assembly."

The year 1812 commenced with an active agitation. County meetings of the Catholics were held, to protest against the dispersion of the Catholic Committee in December of the preceding year, and against the general tendency of the acts of the government to violate the constitution.

Special reference was also made in the resolution passed at those meetings, to the restrictions that yet subsisted on the powers of the Prince of Wales as Regent; and there was an expression of hope that on the then approaching expiration of those restrictions, the Catholics would obtain "a redress of those grievances that would have tended, as the resolution said, 'to alienate their affections, were the latter not so strongly cemented to the interests of the throne, by an unbroken series of loyalty and allegiance.'"

The Catholics—if indeed they were still under the delusion of these fond hopes from the Prince's good-will—were very soon to be bitterly and entirely undeceived.

Whatever their real belief may have been, it was their

obvious policy not to betray any suspicion, even were such entertained, and accordingly the tone assumed, in alluding to him, was of high confidence.

But there was another feeling on a different and larger subject that also marked several of these assemblies. The Union, its evils, and degrading and ruinous effect upon the country, and the strong necessity for its repeal. These were also topics of debate ably dwelt upon by several speakers, but by none more so than by Mr. Howley, the present third sergeant at law, and assistant barrister for the south.

At a meeting of the Catholics of the city and county of Limerick, held at the Commercial Buildings in that city, on Monday, 6th January, 1812, he thus expressed himself:—

“The occurrences of the present day strongly recall to my mind a former period of Ireland’s misfortune; and that grave of Irish prosperity, the Legislative Union, gapes before my eyes with all its sepulchral horrors! (great applause.)

“It is a circumstance, well known to every reflecting mind, that the unhappy dissensions, which rent this country asunder, might have been suppressed, at the beginning, did not that statesman, called *‘the great man, now no more,’* think them essentially necessary to bring about his favourite political project, the union of both countries.

“He watched the evil in its progress and maturity, and when the malignant poison of disaffection had mixed with the blood of the people, he awoke, as it were, from a dream, and was alive to all the horrors of the disease (applause). It then became necessary to have resort to strong and desperate measures; and before the country had recovered from the shock of civil animosities, while the sorrows of the past had fixed the mind, and rendered it careless for the future, the Union was proposed, and the Union was carried!”

This outburst against the grand source of Irish evils, was received, as the newspaper report says, “with repeated and unceasing applause.” We notice it here as one of the strong indications constantly recurring ever since the Union was carried, of the enduring and unabating hostility in the Irish popular mind, to that nefarious and execrable measure.

An amusing, and yet pitiable instance of the degradation into which party feeling and religious bigotry are apt to hurry those who give them indulgence, is to be found in the gross attacks of of the tory press about this time, on the Duke of Clarence, (the late king,) for what was to them an unpardonable offence—namely, his very proper and high-minded conduct, in refusing to drink the Orange Shibboleth, “the glorious, pious, and immortal memory”—when proposed, in his presence, by a brutal Orange officer of an Irish militia regiment, at a garrison dinner. The Duke of Clarence aggravated his crime in the eyes of the bigots of high and low station, by giving a prompt and very severe reprimand to the wretched creature who proposed the toast.

In this month (January), a kind of embryo plot was discovered, nominally against the government, but really, (like the police plots of the present day,) against the popular leaders and their agitation:—A drunken schoolmaster of a Catholic charity school, in excusing himself, while drunk, to his employers, for absence and other breaches of duty, declared that he had duties elsewhere that had detained him—that he was “secretary to the new association established for the purpose of separating Ireland from England by force of arms!” as also for the purpose of “extirpating heresy”—that Mr. Hay, (secretary to the Catholic Committee,) was also “private secretary to this new association—that “he had been supplied with a blunderbuss, and many others were armed, as it was easy to procure arms out of the castle! and that an attack was shortly to be made upon the latter,” &c.

This raw-head and bloody-bones story, which, in any other country, would have been laughed at as the wanderings of intoxication, was not, however, treated lightly by the Catholics. They knew only too well that their unscrupulous opponents were capable of any device, no matter how base and clumsy, by which even the suspicion of criminality could be thrown upon the popular party.

At this day it would not be quite safe for the members of the latter entirely to neglect a similar occurrence; as the continued misgovernment of Ireland has necessitated a continued employment, by those in authority, of the same base and infamous

means which were in fashion in 1812, and preceding years. The Catholic leaders, accordingly, did what the Repeal leaders have to do with the pretended Ribbon plots of the present day, namely, communicated all they could make out on the subject to the government. In doing so, however, they met with unexpected, but not unparalleled difficulties. The authorities, to use an expression which Mr. O'Connell has often had occasion for, in referring to such occurrences, were "not at all pleased at having their *friends* caught;" and, accordingly, Mr. Attorney-General Saurin actually *put off* receiving the full account of the matter, and otherwise manifested an indifference, very strongly contrasting with the cat-like vigilance and activity with which anything that could tend, even in the remotest degree, really to implicate the Catholic party, had been watched for and seized upon.

The man who had made the extraordinary declaration we have given, had attempted, when sober, to retract it: but, on being pressed, he deliberately repeated all that he had said before, and even added something to the story. This deliberateness on his part manifested that, whatever the design might be, there were concert and premeditation in it; and, consequently, the Catholic leaders were the more urgent in pressing their communication upon the reluctant government. The following is the account of their proceedings which appeared in all the papers:—

"It was resolved that the communication should be made, in the presence either of Mr. Grattan, or the Knight of Kerry—a precaution which, circumstanced as the members of the Catholic Committee were, they thought prudent.

"Neither of these distinguished gentlemen were in town on Friday; but expresses were sent them, and also to Lord Fingal, who was at Killeen Castle; and early on Saturday morning the three arrived in town.

"It was the opinion of these gentlemen that they ought, in the first instance, to wait upon the Attorney-General, to inform him that Lord Fingal, and some other Catholic gentlemen, had a communication to make to him, touching the existence of a treasonable conspiracy—that they were then ready to make it, and to know if the

Attorney-General was ready to receive them for that purpose. This course was accordingly adopted.

“Mr. Grattan and Mr. Fitzgerald accordingly waited on the Attorney-General on Saturday, the 5th of January, and stated the object of their visit. Mr. Attorney-General was ‘*not then ready to receive the communication*!’ We understand that he asked if there were any depositions upon oath; and recommended to Lord Fingal, and the other gentlemen, to go before a *police magistrate*, and give their information to him; that that was *the usual way*, and did not seem to think it at all necessary to see the Catholic gentlemen himself!

“We understand the Attorney-General was strongly pressed to receive the communication, and to submit it to the Irish government; that he asked whether the gentlemen meant to come to him as a *committee*? To which the Knight of Kerry replied, ‘No, sir; they will wait on you merely as individuals.’

“At length the Attorney-General appointed the hour of twelve, at Mr. Pole’s office, in the Castle, on Monday, the 7th, to receive the communication. *He said he wanted to go to his country seat, and supposed there could be no danger in the meantime.*

“The Earl of Fingal, Major Bryan, and Mr. O’Connell were appointed to go to Mr. Pole’s office at that hour; they did so accordingly, and were accompanied by Mr. O’Gorman. We understand that they gave a brief statement of the confession made by the school-master; gave in his name, and the names and residences of some of the trustees who were witnesses to that confession; and also some printed papers belonging to this association. They were received by the Attorney-General and Mr. Pole with ceremonious politeness; and having made their communication, withdrew, leaving it to the government to act as they should think fit.

“We have heard, too, that the Attorney-General offered some excuse for postponing the meeting from Saturday to Monday. He said he had, on second thoughts, written to Mr. Grattan, to say that he would be glad to see Lord Fingal upon Sunday; but as Mr. Grattan had returned to his house in the country, the letter had followed him there, when Mr. Grattan had written in answer that the matter did not press.

“Lord Fingal replied, ‘Mr. Attorney-General, *we feel that it pressed on us to make the communication as speedily as possible.*’

“We have now stated all the facts that have come to our know-

ledge. We do fearlessly ask, do these facts require comment? The *law officer of the crown* refuses to hear of a treasonable conspiracy, *otherwise than in due form of law*; he is afraid to receive intelligence, important to the state, lest he should admit delegation; and, lastly, he postpones obtaining this knowledge from Saturday to Monday. It was, of course, quite impossible that the intentions of the Catholic committee to make the disclosure should remain a secret. The implicated obtain time, from Saturday to Monday, to conceal themselves. Good Heaven! where did this conspiracy commence? We will say where it did *not* commence. It did not commence with the Catholics, who have used their utmost exertions to put it in the power of government to have it out; it did not originate with them, whose hopes of emancipation would be blasted by treason or disaffection. No! whatever it be, it is a conspiracy *against the Catholics*; and, being confined, as it must be, to a few *miserable dupes* of the lowest order, *it is a conspiracy useful to administration.*"

Can any one wonder at this comment of the newspaper on the transaction above detailed? How often, in the present day, have not our journalists to make remarks of similar tendency and effect on similar occasions?

Keegan, the schoolmaster in question, was apprehended, and a show made of taking evidence against him, and instituting a criminal prosecution; but the same unusual tardiness and backwardness which had marked the Attorney-General's reception of the first intelligence of the affair, was visible in the rest of the proceedings; and the end was, that a few months later, Keegan, and one or two who were supposed to be implicated with him, were discharged by proclamation.

Irritated as the members of the government doubtless were, at the drunken indiscretion of the man, by which the hopeful plot was blown upon, ere, under the anxious care of their subordinate agents, it could be ripened into mischief, and brought forward as a grand discovery of popish treason, they yet dared not punish their tool, lest he should be driven to make disclosures, very inconvenient to them, as to the parties who were really behind the scenes.

In a recent valuable work, "The Connection between Great Britain and Ireland considered," by Dr. Madden, there are

copious extracts given of correspondence between the Irish government, during the years 1816—18, and various magistrates and others throughout the country, relative to agrarian disturbances, insurrectionary movements, real or pretended, &c. In that correspondence it will be seen that no story, however improbable, no legend, however idle, that the fertile imagination of local tyrants, sharpened by the desire of getting more power of tyranny into their hands, and by the coward fear that their bad consciences inspired them with, could invent, was considered too wild, or monstrous, to be attended to; and its authors courteously thanked for their promptitude in giving intelligence, and encouraged to continue their *valuable* services to the state. Yet here were Catholic gentlemen, of high respectability and rank, making a thoroughly-supported representation of most suspicious circumstances, and all but laughed at to their faces!

Another circumstance of the affair we have given the narration of, is strikingly indicative of their sense of the social inferiority which pervaded the Catholic body. Lord Fingal, a peer, at least of Ireland; Major Bryan, a gentleman of very large landed possessions; and Mr. O'Connell, a barrister of considerable standing and high practice, felt that it would be prudent for them, in approaching officials, to secure the companionship, and, as it were, the countenance of two *Protestant* gentlemen, no more than the equals of Messrs. O'Connell and Bryan, and, of course, inferior in rank to Lord Fingal.

A chance circumstance connected with the recent aggregate meeting, will be found of a certain interest. It was attended by the gifted but most unhappy Percy Bysshe Shelley—unhappy in the wildness, the madness of his after-errors, and unhappy in his untimely fate. Seldom has there been exhibited to the world a more striking and lamentable instance of the ruinous effects of the want of a proper control and guidance in youth. The more talent, energy, fire, the greater and more certain the danger, if the wild impulses be not watched, and checked, and turned in a right and safe direction—while yet the youthful character is plastic, and manhood's pride, and indurated vigour, have as yet not been enlisted in the cause of error.

It was a generous and a Christian impulse that impelled him to attend the meeting in question, and to express the sentiments

which he shortly after embodied in a publication, distributed by him through Dublin. We take the following extracts from it:—

“PROPOSALS

ASSOCIATION OF THOSE PHILANTHROPISTS,

“Who, convinced of the inadequacy of the moral and political state of Ireland to produce benefits which are, nevertheless, attainable, are willing to unite to accomplish its regeneration.

“I propose an association which shall have, for its immediate objects, Catholic Emancipation, and the Repeal of the Act of Union between Great Britain and Ireland; and grounding on the removal of those grievances an annihilation, or palliation, of whatever moral or political evil it may be within the compass of human power to assuage or eradicate.

“It is my opinion that the claims of the Catholic inhabitants of Ireland, if gained to-morrow, would, in a very small degree, aggrandize their liberty and happiness. The disqualification, principally affect the higher orders of the Catholic persuasion; these would chiefly be benefitted by their removal. Power and wealth do not benefit, but injure the cause of virtue and freedom.

“I am happy, however, at the near approach of this emancipation, because I am inimical to all disqualifications for opinion. It gives me pleasure to see the approach of this enfranchisement, not for the good which it will bring with it, but because it is a sign of benefits approaching—a propheet of good about to come; and, therefore, do I sympathize with the inhabitants of Ireland in this great cause—a cause which, though in its own accomplishment will add not one comfort to the cottager—will snatch not one from the dark dungeon—will root out not one vice—alleviate not one pang—yet it is a foreground of a picture, in the dimness of whose distance I behold the lion lay down with the lamb, and the infant play with the basilisk; for it supposes the extermination of the eyeless monster bigotry, whose throne has tottered for 200 years. I hear the teeth of the palsied beldame superstition chatter, and I see her descending to the grave! Reason points to the open gates of the temple of religious freedom; philanthropy kneels at the altar of the common God!

“Does a God rule this illimitable universe? Are you thankful

for his beneficence? Do you adore his wisdom? Do you hang upon his altar the garland of your devotion? Curse not your brother though he hath enwreathed with his flowers of a different hue; the purest religion is that of charity.

"I regard the admission of the Catholic claims, and the Repeal of the Union Act, as blossoms of that fruit which the summer sun of improved intellect and progressive virtue are destined to mature.

"I will not pass, unreflected on, the Legislative Union between Great Britain and Ireland; nor will I speak of it as a grievance so tolerable, or unimportant in its own nature as that of Catholic disqualification. The latter affects few; the former affects thousands. The one disqualifies the rich from power; the other impoverishes the peasant, adds beggary to the city, famine to the country, multiplies abjectness, whilst misery and crime play into each other's hands, under its withering auspices. I esteem, then, the annihilation of this second grievance as something more than a mere sign of coming good. I esteem it to be in itself a substantial benefit. The aristocracy of Ireland (much as I disapprove of other distinctions than those of virtue and talent, I consider it useless, hasty, and violent, not for the present to acquiesce in their continuance)—the aristocracy of Ireland suck the veins of its inhabitants, and consume the blood in England.

"England, the whole civilized world, with few exceptions, is either sunk in disproportionate abjectness, or raised to unnatural elevation. The Repeal of the Union Act will place Ireland on a level with her sister nation. Benevolent feeling has gone out in this country in favour of the happiness of its inhabitants. May this feeling be corroborated, methodized, and continued! But it will not be kept alive by each citizen sitting quiet by his own fire-side, and saying that things are going on well, because the rain does not beat on *him*; because *he* has books and leisure to read them; because *he* has money and is at leisure to accumulate luxuries to *himself*. When the heart recurs to the thousands who have *no* liberty, and *no* leisure, it must be callous by long contemplation of wretchedness, if after such recurrence it can beat with contented evenness."

What glimpses, or rather plain evidences are there not here, of a mind capable of much good and much usefulness, had it not been abandoned to its own wild impulses.

The allusion to the effect on the "higher orders" of Catholics was, so far as those of them who have most benefitted by the Emancipation Act, truly prophetic. "Power and wealth" have sadly injured, with them, "the cause of freedom and virtue." They have forgotten the honest people who helped them to their honours and advantages.

In the remarks upon Repeal there is the same singular appositeness to the present day, that we had before occasion to notice. If there be more in one part than another, it is in the concluding portion. Those who are at ease should, indeed, recollect the myriads who are in want and wretchedness; should not deem their own leisure and luxuries fairly enjoyed; until they had done something to procure necessities and comforts for their less fortunate fellow-countrymen; should not blink with worse than idle excuses, of want of taste for public life, want of ability, (an excuse they do not credit themselves,) the discharge of at least some portion of their duty as citizens of a distressed, and impoverished, and oppressed state.

The state prosecutions against the Catholic gentlemen, whose arrest, &c., has been before narrated, were re-commenced towards the end of this month, January, 1812. The following scene will serve to illustrate still further the base practices of the government:—

"January 27, 1812.—*The King at the prosecution of Huddleston v. Messrs. Kirwan, Taaffe, and others.*

"When the panel had been called over, Mr. Burrowes, of counsel for the traversers, submitted the following challenge to array:—

"And the said Thomas Kirwan comes and challenges the array, and says, that the said panel was made by John Kingston James, who, at the time of making the same, was one of the sheriffs of the city of Dublin, and who in name of himself and Robert Harty, the other sheriff of said city, returned said panel at the instance and request of Thomas Kemmis, then and still crown solicitor and attorney for the prosecution in the case."

On this challenge, Mr. Kemmis, the crown solicitor, was examined before triers appointed by the court. He deposed, on a long examination, that Mr. James (the present Sir John

Kingston James) had not shown him the panel, nor acquainted him with its contents. But upon re-examination by Mr. Bourne, (of counsel with Mr. Burrowes) the following came out :—

“Mr. Bourne begged Mr. Attorney General's pardon for interrupting him, as he had to ask the witness a few more questions.

“Q. You have said that you have heard from persons in the street that they had been summoned. Did you come by a knowledge of the panel in any other way than by information you received from these persons? A. Partly I did.

“Q. What other way?

“[Here the Attorney General objected to the question, on the ground that the information of three persons was not evidence to sustain the challenge.]

“The Court, after hearing several arguments on both sides, overruled the objection.

“Mr. Bourne—I ask you again, sir, in what other way did you come by your knowledge of the panel? A. I got a list of the names of such jurors as were impannelled on the jury.

“Q. Were any of those persons called? A. Some of them were, and are to be on the jury to be sworn.

“Q. From whom did you get the list?

“Witness.—Mr. Attorney General, am I to answer that question?

“Attorney General.—I think not, but that will be for the consideration of the Court. We are not now to enquire into the conduct of any man but the persons stated in the challenge.

“The Court consider the question as admissible.

“Mr. Bourne—Mr. Kemmis, however reluctant you may feel, I am authorized by the Court to ask you from whom did you get that list? A. From Sir Charles Saxton.

“[Great and general murmur. Here Mr. Goold observed that the discovery of this vile plot had, indeed, afforded *ample materials for the newspapers to dilate on*, and he trusted, that the independent press of Ireland would do its duty by the public, by its just animadversions of this abominable transaction.]

“Mr. Bourne resumed.—Q. Have you that list, sir, now in your possession? A. I have not—it may be in Kildare street. I have it not about me.

“Q. Where did you see it last? A. In Kildare street, in my father's house, in my possession. [Witness appeared greatly em-

barrassed."] I dare say it is now in my own house; but I am not sure; however, I don't think I brought it into court.

"Q. On what day did you get that list from Sir Charles? A. It was on Friday evening last.

"Q. Can you recollect where you received it? A. I received it at the Castle!

"Q. Sir Charles Saxton is under-secretary to the lord lieutenant; was it in his office? A. It was in a room near his office.

"Q. Do you recollect what number of names it contained? A. I do not.

"Q. Can you take on you to say there was one hundred? A. I don't think there was near it.

"Q. Mr. Kemmis, will you take the trouble of saying whether it is in court, or where it is? A. I can't tell.

"Q. Can you say there were fifty names in Sir Charles's panel—I mean Sir Charles's list? A. I think there were.

"Q. Were there more? A. No, but I think there might have been more; I don't recollect them.

"Q. Were there any persons present when you received that list? I don't think there were.

"Q. How did it happen, sir, to come into your possession? Did you go to Sir Charles for that list, or did he send for you? A. I happened to be there about some business; don't recollect exactly what passed; he handed it to me."

The examination of this witness having concluded, Mr. Kemmis, sen., gave evidence as follows:—

"Q. Mr. Kemmis, you are the father of the last witness, and you have heard his evidence; you have produced Sir Charles's list; where did it come from? A. Out of my pocket.

"Q. Why did you, sir, search for it in your bag, and in your desk? A. *I did not know I had it at the time.*

"Q. What time did you get it into your possession? A. I dare say those two days.

"Q. Look at the names in the list and tell me are they all in the panel? A. The first name, Sir Thomas Newcomen, is not on the panel; Mr. Luke White is not on; John Lindsay is not on it.

"[Here Mr. Burrowes requested Mr. Bourne, the officer of the court, to compare Sir Charles's list with the panel, for the purpose of ascertaining in what respect they had differed from each other. He

(Mr. Burrowes) insisted that the list must either have been taken from the panel, or the panel from the list; and as the latter was the most probable, he wished to know the names of such persons as appeared on the list, and that did not appear on the panel.]

"The names of the following persons were entered in Sir Charles's list, and some of them were erased from the panel, and the others were not entered on it. In every other particular the names on both exactly concurred.

SIR CHARLES'S LIST.

1 SIR THOMAS NEWCOMEN, ✱	8 THOMAS KEENAGHAN,
2 LUKE WHITE,	9 T. CROSTWAITE,
3 JOHN LINDSAY,	10 G. BEAUMONT,
4 PETER WILKINSON,	11 H. HIGGINBOTHAM,
5 EDWARD CROKER,	12 ROBERT LAW,
6 THOMAS THORPE FRANKS,	13 ROBERT ARMSTRONG,
7 WILLIAM HALLER,	14 J. HILLES.

Erased from the panel with four others.

"Q. At what hour on Friday last did you receive the list from Sir Charles Saxton? A. It was about five o'clock.

"Q. Had you been there in waiting for him? A. I *believe* I was in the outer room for a little time.

"Q. What brought you to the Castle; was it not to receive the list? A. I *don't know what brought me there; it might* have been some other business."

• There is not a little to remind the reader of the state prosecutions in the years 1843-44, in all this.

The trials proceeded notwithstanding; and, upon Thursday, the 30th of January, Thomas Kirwan was found guilty. No punishment was, however, inflicted; but, as the government journal, "*The Patriot*," announced, "the traverser was informed that, notwithstanding his conviction, he was perfectly at liberty to go at large upon the recognizance he had already provided. Any further proceedings against the delegates are, for the present, declined."

On the 29th of February, in this year, another aggregate meeting of the Catholics took place in the same locality as usual, the theatre in Fishamble-street, to "petition the legislature, and to address his Royal Highness the Prince Regent."

The following resolution, amongst others, was passed at this meeting :—

Proposed by Mr. Burke, of Glinsk, and seconded by Major Bryan, and resolved unanimously—"That the General Committee of the Catholics of Ireland, appointed by the aggregate meeting, upon the ninth day of July last, are entitled to our thanks; and it is requested that they will not meet, until the legality of their doing so is decided."

A resolution, moved and seconded by the same parties, expressing the thanks of the meeting to "our friends in parliament, Earl Grey and Lord Grenville," was spoken to by Mr. O'Connell.

"Mr. O'Connell came forward and said he did not mean to oppose the motion, nor was it necessary to use any argument in its support. Since the commencement of the British constitution to the present hour, no statesman had ever stood higher than those noble lords in public estimation. They had, with the purest patriotism, refused everything that power could give; they had rejected all the allurements of office, rather than sacrifice, or even postpone the assertion of principle—a splendid instance of public virtue, more brilliant for its rarity and for the contrast it afforded to the subserviency of their adversaries.

"It was unnecessary to urge the motion. Every Irish heart beat responsive to the liveliest accents of gratitude. But he would avail himself of that opportunity to make some observations on the recent events—on those interesting events which had occurred since the last meeting of the Catholics. His observations should certainly be made with the utmost good temper, because, in truth, there was nothing in these occurrences to irritate, or much that afforded unmixed consolation.

"The first topic that presented itself was the late trial of Mr. Kirwan. That trial had proved only what was already well known, namely, that it was possible for the Irish administration, with all its resources, to find a single jury to take upon itself to swear that pretence means purpose; and that the man who was admitted, by his prosecutors and judges, to be innocent in act and intention, was in law and fact, guilty.

"It, however, proved that one such jury was possible, for those who saw that jury must admit, that it was not in human nature to afford such another. Why, the administration had been so diligent

in the search of originals, that they had actually found out a Mr. Donovan, who keeps or kept a crockery-ware shop on the Quays, and who, until the second day of the trial, never had heard of the subject matter of the trial! So he declared before he was sworn on the jury. What think you of any man, not absolutely deaf, who had been for three preceding months in Dublin, and had never before heard of that prosecution!

"But a verdict obtained in the manner that had been was of no importance. The public mind was in no wise affected by it. It was anticipated from the commencement of the pieces of plain prose with which the prosecution was opened, to the morsel of brilliant hypocrisy with which it closed. The verdict was of no estimation, even in the opinion of the very prosecutors, who felt the impossibility of obtaining another; and in that despair relinquished this extraordinary crusade against the right of petition. To this despair alone could be traced the abandonment of the opposition to allow the Catholics the poor privilege of placing themselves in a body upon their knees.

"Two traces had been left on the memory of the late state trial. The one was ludicrous—the other had in it something of a more grave nature. The first merely recalled the recollection of the farcical epithets applied by the Solicitor General to these individuals. Of the Attorney General he had said 'that he was the most learned and wisest of mankind (a very general laugh). Mr. Justice Day he called a magnanimous judge' (much and very general laughter); and what was still more ridiculous, he styled himself 'a friend to the Catholics of Ireland' (shouts of laughter). The magnanimous judge had, indeed, returned the compliment, and in a speech which was, with some absurdity, called the passing of sentence on Mr. Kirwan, but which, in fact, was, what it ought to be, an eulogium on that gentleman—an eulogium in which all classes would readily join; the magnanimous judge retorted the compliment, and called the Solicitor General '*the friend of the Catholics*'.

"Good God! what a notion those men must have of our stupidity; what dupes and idiots they must take us to be. I am ready to concede 'magnanimity' to the judge; but that this barrister should be our friend—that he who commenced his political career with being, whilst yet young, the supporter of the blood-written administration of Lord Camden—that he who can look at his own children, and then doom ours to be degraded—who has shown himself ready to embrace any servitude, in the way of his profession, and to ensure his promotion—

that man may continue to persecute us—I consent—but he shall never enjoy the notion of our considering him as ‘a friend;’ we know him well.

“The graver recollections which this trial has left behind were suggested by the facts that appeared respecting the interference of Sir Charles Saxton with the jury list.

“I own I was so far deceived as to expect that all that was solemn and sanctified about the Chief Justice would have been roused into the semblance of animation, when he heard that the Crown Solicitor and Sir Charles Saxton hunted, in couples, for the knowledge of the jury. I, in vain, hoped to see the spark of what I should call honest constitutional fire illumine all that was dark and delightful in the pomp of religious display; but, no, alas! no, the interference, whatever it was, of the Chief Secretary of the Castle respecting a jury in Dublin, passed off without arousing one slumbering motion, and precisely as if the Chief Secretary were the accustomed assistant of the attorney for the prosecution.

“But this is a grave and serious subject. Of what value is property—of what value is life, if the Chief Secretary of the Castle, with all the power, and all the wealth, all the influence of the crown in his hands, is to take any part, whatsoever, respecting the management of a jury?

“If this be once allowed, where, or how is any line to be drawn, or what can be devised to prevent the next atrocious contrivance? There was, indeed, a great mistake committed in the defence. I take my full share—the entire, if I am permitted—because I never heard any but the worst reasons why we did not examine Sir Charles Saxton. The truth is, we all did expect something from the Court upon a precedent so pregnant with danger; but the reason was, that our friend, the Solicitor General, made a most solemn asseveration, that the counsel for the crown would *sift the transaction to the bottom*; those were his words; we idly believed him, when he compelled Sir Charles to attend. Of course we were deceived; but why then did we not ourselves examine the Secretary? I must confess I cannot tell. It passed over, and we all felt our error. Would to God we had examined him! Would to God we had sifted him on his oath—where, from whom, when he got the jury list?—how it happened that the numbers were altered?—was it corruption?—was it a miracle?

“I do still fondly hope, for the sake of law and of justice—for the sake of everything valuable to Irishmen, that this matter is not at

rest ; but that the baronet or knight, whichever he be, will yet have this matter seriously and solemnly discussed and examined by parliament ; that the entire transaction shall yet appear ; and that my lords the justices of the King's Bench, may possibly, hereafter, think it their duty not to suffer so strange a fact to pass in review before them, unexplained and unexplored.

“ Allow me to say one word more, and I conclude as to the late trial. The prosecutors insulted us, by excluding every Catholic from the jury ; they injured us, too, by excluding every Presbyterian. How I thank them for the compliment they paid, on this second trial, to the sterling integrity of the Irish Presbyterians, the very best class of men in any community. To all that is generous and warm in the Irish character, they add a firmness and a discretion, which improves every manly virtue. I do greatly admire the friends of religious and civil liberty—the Presbyterians of Ireland.

“ There is now another, and a different topic, to which I would lead you : it relates to an afflicting circumstance which occurred since our last meeting. You will recollect that I then warned you against the machinations of your enemies ; I said that it was conjectured that there were schemes on foot to involve the lower classes of the people in some idle dream of disaffection ; I cautioned my countrymen against those schemes ; and I added, ‘ that any person who suffered himself to be implicated in them, must be either a miserable dupe, or the hired spy of the Castle.’

“ Little did I then imagine, that my prophetic fears would be so soon realized ; little did I then imagine, that I should be so soon placed in that most distressing situation in which I have since stood ; that I should be reduced to the necessity of feeling the abject humiliation of disclosing facts which might be fatal to some of my deluded countrymen, or be obliged to expose them all to the danger of becoming the victims of secret conspiracy, and to do what you all know to be impossible—to violate the solemn oath of allegiance, which I have repeatedly taken.

“ Let any man of feeling judge of my situation. I did feel as if I were degraded ; but I felt that I could not be untrue to honour, when I was in the company of your lordship, and my most estimable friend, Captain Bryan.

“ The affair was fortunately passed over ; those who were arrested have been discharged :

“ ‘ My bosom's lord sits lightly on its throne,
when I recollect that those men have been restored to their families ;

but I must again indulge in anticipating hope—I must still hope to see, in this country, an administration that will offer pardon and reward to the proclaimed conspirator, Fisher, for the disclosure of who were his instigators, and with, or under, whom he acted.

“I may be much mistaken; but I do expect, then, to find some vile and abominable scheme disclosed; a scheme to dupe the poor, in order to continue the vassalage of the rich. Let me not be misunderstood. I do not mean to accuse the administration at the Castle with any such scheme: it is of a nature too revolting to humanity to allow me to attribute it to civilized beings. The secretary may, indeed, indulge his taste in juries, but he would scorn to deal in blood; the scheme is confined, if it exists at all, to some of the inferior agents—to some expectant place-hunter, or, rather, perhaps, to some spy by profession, who, in the vacation between the terms, happens to be devoid of other occupation. (Applause.)

“I ought not, my lord, to detain you longer; but I am induced to request the attention of the meeting to a publication of a very strange nature: it imports to be a report of a speech in parliament, and it bears the name of Mr. Wellesley Pole——

[Here Mr. O’Connell was interrupted by Mr. Francis Huddleston—by that Francis Huddleston who prosecuted the Catholic delegates—who wanted to address the chairman. Mr. Barnewall, Major Bryan, Counsellors Hussey and Finn protested against this attempt with great indignation, and were strongly supported by the entire meeting.]

“Mr. O’Connell continued his address:—What that gentleman might have said in parliament, I am quite ignorant of, nor do I inquire; I have at present no right to reply to him here; and I entertain little doubt but that anything to our prejudice, or in his own praise—his favourite subjects, which he might have brought forward—was sufficiently replied to and exposed; my business is merely with a newspaper publication—a publication contained in a paper bearing, with a constant contempt for truth, as its title, the sacred name of ‘*Patriot*.’

“This publication is entitled, ‘the speech of the Right Honourable W. W. Pole.’ I cannot bring myself to believe that any man could pronounce such a discourse: the style is of the poorest order; it talks of the magistrates having a row with the Committee; and there are a thousand other phrases in it which demonstrate that no man of common education could have composed it. But it would be absurd to waste time in censuring more of this composition; it is the absence

of truth and decency which distinguishes it, and entitles it to some notice amongst our calumnies.

"Let me be pardoned whilst I delay you to expose its want of veracity. It is by calumny alone that our degradation is continued; if nothing were told of us falsely, if 'nought was set down against us in malice,' we should long since have been emancipated. My lord, I beg leave to confute these calumnies, not because they are talented or skilful, but simply to oppose the system of detraction.

"I have selected six different assertions, which are either but partially true, or destitute of any, the slightest foundation of fact.

"The first I shall mention is one, perhaps, in itself, of little moment; but it will serve to show how incautious 'this speech' is in its assertions. It does, my lord, assert, in speaking of the addition to our former Committee, in the beginning of 1811—

"1st—'That the government intended to stop the elections, and did stop them. The ten persons which (I preserve the beauty of the original) were ordered to be returned from each county, in point of fact, never did assemble.'

"In point of fact, my lord, we all know that the government never stopped any such election; that it never did interfere, save by sending forth the slovenly and ludicrous circular; and that in point of fact, the appointment did take place in most of the counties—every county that pleased—and the assembling of those persons was a matter as public, and as well known to the government, as any other fact which was entrusted to the daily newspapers; but there is certainly this happy colour for the assertion of the speech—that all the counties in Ireland did not appoint to the last Committee.

"It is also asserted—

"2nd—'That Lord Ffrench, in consequence of the violence of the members of the Committee, selected from them.'

"When shall I find time to express my astonishment at this assertion—an assertion directly, pointedly, and positively the contrary of the fact. Mr. W. W. Pole could never have said any such thing. Why, Lord Ffrench was in the chair, when Mr. Pole sent his police-justice to disperse that Committee. Lord Ffrench entered into a correspondence with Mr. Pole to maintain that Committee. He lent his character, his rank, and his talents to support that Committee; and, in perfect defiance of Mr. W. W. Pole, he did support it. What becomes of the audacious assertion of his secession?

"I wish my noble friend, for so I am proud to call him, were allowed by his health to be here this day: how he would refute this

calumny. He never seceded or deserted the Catholic cause; and I can assure Mr. W. W. Pole, that there breathes not the man who would presume to tell his lordship that he seceded from the Catholic Committee or the Catholic rights. I know the reply which such presumption would meet and merit.

“The next assertion which I shall notice is—

“3rd—‘That many of the counties in Ireland could not produce ten respectable persons of the Catholic religion, above the rank of farmers.’

“Where was the creature found who wrote this speech? Is this ignorance only, or is it unblushing effrontery? I shall not stoop to refute this foolish untruth; it may serve a purpose in England; in this country it is almost beneath ridicule.

“We soon after find it gravely stated—

“4th—‘The meetings to appoint the present Committee were held for the most part during the assizes; but they were conducted in such a manner, that it was almost impossible to find out what passed at the time.’

“Shame, shame upon this profligate speech-writer! Why, all Ireland knows that these meetings were held with even ostentatious publicity; that they were crowded by Protestants; and that he who could make the assertion that I have just quoted, deserves not the trouble of contradiction. It may be supposed that it was impossible to exceed the absurdity of the last mis-statement; but, my lord, it has been exceeded, for I find in this speech these words—

“5th—‘The Earl of Fingal had also seceded from the Committee.’

“No, my lord, calumny more absurd was never invented; assertion more destitute of fact, was never written. [Lord Fingal declared his assent.] Yes, my lord, you are thus calumniated; and the purpose of publishing these untruths only aggravates the guilt of him, whoever he be, that invented them.

“There remains yet one calumny. I do not entreat the members of the Committee, so many of them I see about me, to restrain their indignation, whilst I read it. It is this:—

“6th—‘Mr. Pole said, that if gentlemen would read the debates of this Committee, they would find *separation* was openly and distinctly recommended.’

“Mr. Pole said no such thing: the man does not live, sufficiently audacious to say any such thing. Why, my lord, this is a direct accusation of high treason; and he who would assert it of me, I would brand with the foulest epithets. No; a writer in a newspaper

may be found to compose such a paragraph, but no man in his senses, in the world, dare to utter it aloud. But if it were said, 'I care not, while I proclaim it to the world to be unfounded as it is injurious—as false as it is foul; and I defy the slightest proof to be given of its veracity.

"I have trespassed upon you too long, with this miserable publication; it deserves notice only, because having circulated among the English, who know us not, it may, remaining uncontradicted, be believed. In the six assertions which I have noticed, there is but one that has the slightest pretensions to any colour of being otherwise than being directly and palpably the exact reverse of the fact.

"I am tempted to give you another instance of the stuff this speech is made of. It treats of the book called 'The Statement of the Penal Law,' and, as usual, it flagrantly misrepresents or absurdly replies. I have been done the great honour, by some persons, of having that book attributed to me. I should be proud to own it if I could, but I am incapable of writing so excellent a composition, or of sharing the honour with a gentleman to whose pen the Catholics of Ireland are deeply indebted, for everything admirable that has emanated from him; and never were they more obliged than by the address and petition which you have adopted this day.

"I do not choose to dilate on the resplendent talents of my respected friend; but in him Ireland possesses a model of classical taste and refined judgment, devoted exclusively to patriotic purposes. His book has been criticised in this speech; and the law, which is the intervention of the commissioners of charitable donations, precludes the possibility of establishing a Catholic charity, with permanent funds, is palliated by endeavouring to show, that the rigour of the statute is softened by the mildness of the commissioners. It is alleged that they humanely spare many a popish charity, and allow the pious sin to be perpetrated in quiet. Instances of their forbearance are given; and amongst them we find the following, under date, 1810:—'James Baldwin, of Macroom, county Cork, left all his lands, in reversion, to Doctors Segrave and Moylan, in trust, to raise £400 per annum, for ever, to establish a school to instruct poor children in the tenets of the Church of Rome.'

"This is one of the instances of the lenity of the commissioners of charitable donations. Now, let me tell you what the value of their kindness is—Mr. Baldwin was married to a near relation of mine.

I am his executor. It was I proved the will, so that I am authority upon this point. The fact is, that he had eight children, five of whom are married, and have, most of them, large and increasing families. He first devised his estates to his children, successively, and their issue, male and female; then to two other individuals of his own name, having families, and their issue, male and female; and after the decease of all those persons, between 70 and 80 in being, and all their issue, this £400 per annum, is bequeathed to endow a Catholic school, so that the vesting of this bequeath depends on the contingency of about 80 persons dying without issue, an event very little likely to take place in this country.

“Such is the wonderful forbearance of those commissioners—such is the happy art attributed to Mr. W. W. Pole, of furnishing proofs and illustrations. Yes, this article illustrates the active genius of the speech. Unfounded assertion, ridiculous argument, paltry self-sufficiency, and ludicrous quotation, distinguished the narrative of the parish clerk, whose situation, exposing him to public view, he has mistaken for elevation. I have to apologise for attaching so much importance to matters so insignificant.

“I hasten to conclude by expressing my conviction that the Emancipation is certain, and will be immediate. The generous, the cordial support of our Protestant brethren, in Ireland, assures us of it. The petition—which is exclusively their measure, and with respect to which, every Catholic has scrupulously avoided the least interference—the Protestant petition has, at this moment, more signatures to it than were affixed to any petition of our own. It has been supported in every county by the wealth, talent, and rank of our affectionate countrymen, and I am proud to see amongst us this day, at the head of so many of our Protestant friends, a noble Lord (Glentworth) whose ardent patriotism entitled him to the gratitude of every class of his fellow subjects; and whom we shall see met by corresponding patriotic exertions, and proudly placed in the first rank of the representatives of his native country. The voters of Limerick will not be blind to the insults they have received from other quarters, nor to their own interests and dignity, nor to the worth of the noble lord.

“We have the Protestants of Ireland in our favour—the Protestants of England, at least the rational part of them, are not opposed to us. No, in the two last discussions in parliament, the right and justice of our claims were conceded, even by those who opposed on the ground of the time; there was but one solitary exception—a

single individual, Sir John Nichol, who was sent forward as the scape-goat of English bigotry, to revive ancient calumny, and to add some fresh ones; he was installed in the enviable office of successor to Dr. Duignan; but, good Lord! he is quite unfit for the employment. There was about Duignan, a sturdy, robust, unblushing effrontory, that enabled him to assert anything, and prevented the possibility of his retreating. This poor Nichol, however, was no sooner attacked and ridiculed, at every tide, than he explained one passage, softened down another, and gave up a third, until he himself abandoned, piecemeal, the web of intolerance, so that it really appears, that even the futile resource of bigoted calumny is at length exhausted.

"Of the Prince I shall say nothing—uncertainty as to present circumstances—reliance on the past, and the lingering and dutiful affection in a heart devoted to the friend of Ireland, restrain me. To canvass the subject would appear to be the entertaining of a doubt.

"Oh! but there is one objection still remains to our emancipation; it is quite novel and most important. Our enemies object to the tone which the Catholics use. This notable objection was struck out by the Earl of Rosse. He disliked our tone—he might as well have quarrelled with our accent—but that would rather be a strong measure in Lord Rosse (laughter). Seriously, however, the descendant of Sir William Parsons has an hereditary right to be the enemy of the Catholics upon any pretext, or even without one. I do not believe this lord has fallen into inconsistency. I have some faint recollection that, under the name of Sir Lawrence Parsons, he once enacted patriotism in Ireland—I may be mistaken, but I do not think he ever supported our claims; and I am quite sure I wish he never may.

"But our tone is disliked—yes, my lord, they dislike the tone which men should use who are deeply anxious for the good of their country, and who have no other object. We are impressed with the sense of the perils that surround us, and of all the calamities impending on a divided and distracted people. We see our own resources lavishly squandered upon absurd projects, whilst our tottering paper currency is verging fast to bankruptcy—the fate of every other paper currency that has as yet existed. We see the private ruin that must ensue, the destruction, so prodigally hastened, of the funded system. We see the most formidable military force arrayed on the Continent. The Emperor of the European world is

now busied with some quarrel on the Northern Frontier, which now extends to the suburbs of St. Petersburg ; his fleet augments by the month ; who shall dare to say that we shall not have to fight, on our own shores, for the last refuge of civil liberty, in this eastern world. What blindness, what infatuation, not to prepare for that event !

“ We, my lord, assume the tone which may terrify the invader ; we use the tone of men who appreciate the value of civil liberty, and who would die sooner than exchange it for the iron sway of military rule. We talk as men should, who dread slavery and disgrace, but laugh to scorn the idea of danger. Shall it be asked, if the invader arrived—

“ ‘ And was there none—no Irish arm,
In whose veins the native blood runs warm ?
And was there no heart in the trampled land,
That spurned the oppressor’s proud command ?
Could the wronged realm no arm supply,
But the abject tear and the slavish sigh ?’

“ Why, yes, my lord, we are told if we had been servile and base in our language, and dastardly in our conduct, we should be nearer success ; that the ‘ slavish tear,’ the ‘ abject sigh,’ would have suited our dignity ; that had we shown ourselves prone to servility and submission, and silent in oppression, we should advance our emancipation ; and that by proving, by our words and actions, that we deserve to be slaves—we should ensure liberty.”

• We have before quoted a newspaper report of the scene in the House of Commons, between the Hon. Colonel Hutchinson, and Mr. Speaker Abbott, on occasion of a bold and emphatic denunciation, by the former, of the Legislative Union between the two countries.

• The *Patriot* (the same government newspaper denounced by Mr. O’Connell in the speech last quoted, that of the 29th February) had, a few days after the latter date, an article on the subject referred to, containing some general remarks upon Irish agitation, which, if their origin were not stated, might well be considered extracts from the columns of the *Standard*, *Herald*, *Post*, or *Times*, at the present day ; merely substituting “ Repeal of the Union,” for “ Catholic Emancipation.” •

There is an especial similarity in the intolerant and intolerable insolence, which the idea of concession is spoken of—concession subsequently made—as, despite the present vapourings, it

will again be made, sorely against the grain, to the peaceful, constitutional, but irresistible movement of the Irish people.

The following is the main part of the article:—

“Could the authors, to whose witty observations on the result of Mr. Keegan's affair we have already alluded, suppose for a moment that all the earlier history of that foolish business had been entirely forgotten—that the marked indifference of the Irish administration, when the affair was first opened to them—the delay to arrest the conspirators, and the anxious representation of the subject made by the Catholics—had altogether escaped recollection, when they ventured to charge the government with the malicious design of giving countenance to mock conspiracies, for the purpose of bringing suspicion and disgrace upon the Catholic body? Could they believe that the most careless and stupid of their readers would fail to detect the imposition, or that the most factious could discover it without feeling contempt and indignation?

“Now, that we *have* alluded to the inaccuracies and extravagance of the Irish press, we beg leave to cite an example, in which a strange propensity to the most foolish exaggeration has been displayed by some of the advocates of Catholic emancipation.

“Mr. Hutchinson, an Irish member of the House of Commons, was lately interrupted by the Speaker, while descanting on Irish affairs; and we feel assured that no man who knows anything of the character of the present Speaker of the House of Commons, will doubt that there must have been good reasons for the interruption. It is scarcely possible to conceive the furious indignation manifested by some of the Irish writers on account of this affair, which they would fain represent as a studied interposition of idle and unavailing formalities, for the wicked and corrupt purposes of stifling the voice of an advocate who was about to plead the cause of five millions of his fellow-subjects, before the great national council! It is much their custom, indeed, to talk of round numbers; and this same number of five millions seems to be a great favourite with them. They take infinite pains, on all occasions, to proclaim to the world, that there are no less than five millions of Irishmen resolutely bent on vindicating and maintaining their rights; that is, on carrying the question of Catholic Emancipation. Now, we are quite aware that the population of Ireland has, of late years, made rapid progress; and we are not ignorant that the Catholic cause has also made considerable advances with the Protestant population of Ireland: and

yet we are very much inclined to doubt whether, even at the present day, an advocate of Catholic Emancipation can, with anything like truth, be said to speak the unbiassed sentiments of five millions of people.

“We may remind those who make this ostentatious parade of the numbers and resolution of the Catholics—who seek to extort concessions from fear rather than conviction—who labour by the most suspicious and offensive allusions to the present state of the country, and the collected strength of our foes—that they themselves are, in truth, the worst enemies of the cause which they profess to advocate; that the government and legislature of the British empire never have, hitherto, and, we trust, never will, yield anything to menace and violence; and that by persevering to describe their own insolent and seditious declamations, as the fair expression of the sentiments of five millions of British subjects, they do as much as in them lies, to induce a belief among those who give credit to their statements, that the people, whose opinions they pretend to express, are totally disqualified from participating in the higher privilege of the British constitution.”

• In the month of May, this year, the prime minister, Mr. Perceval, was shot, just as he was passing through the lobby of the House of Commons, to enter the house, shortly after the commencement of its sitting. The history of this tragic event is too well known to require detailing here, even if it came directly within the scope of our subject. That his death was nearly instantaneous, and that Bellingham, his murderer—a man crazed by his misfortunes, and what he deemed intentional and insulting neglect of some applications made by him to the ministry—had none of the mercy shown to him which, in recent cases of a similar nature, has been extended to doubtful insanity, but expiated his crime on the scaffold, are matters of general cognizance.

• The death of the premier gave rise, of course, to a thousand speculations, anxieties, hopes and fears in the public mind in both countries. Whigs, Tories, even the then comparatively-insignificant Radical party in England, and the Orange and Catholic parties in Ireland—each were busy with their own conjectures, expectations, and doubts.

• The conduct of the Prince Regent had, indeed, recently

given strong grounds to the intolerant party to believe that he would, (as he speedily did), decide in their favour. When, by the confirmation and confession of the entirely hopeless character of his father's malady, the restrictions at first imposed upon the authority of the Regent had reached their term, he had, of his own accord, continued Mr. Perceval and his colleagues in the high offices they had filled under his father; and from which, so long as any idea was entertained of the old king's recovery, he had affected to believe their removal by him would have been considered an act of filial, and almost disloyal disrespect.

That this was but a miserable pretence, had been more than suspected, when he continued them in office, after the expiration of his restrictions, and full proof of its being so, was soon to be furnished.

Delusive, but yet strong hopes were entertained that, although personal predilections could scarcely be supposed to attach him to Mr. Perceval, who had, on more than one occasion, been the cause of mortifications and annoyances to him; yet, that the former's retention in office was to be attributed to some ascendancy gained over the feeble mind of the prince; and that the occasion of the minister's death would be eagerly seized upon to prove, that in adopting the man, there had been no permanent adoption of his policy.

It may well be conceived with what deep anxiety the Catholics in particular awaited the manifestation of his intentions. *Their* hopes had been cruelly handled hitherto; yet the sentiments which Moore has embodied in one of his earlier melodies—said to have been written with direct reference to the feelings of the Catholics at the time—still pervaded their minds, and made them reluctant to anticipate the coming evil:—

“ Upon thy lip such promise hung,
I did not dare to doubt thee;
I saw thee change—yet still relied,
Still clung with hope the fonder.”

Fond hope, indeed, and vainest of hopes! The miserable, false-hearted voluptuary was not long in utterly destroying it; nor was this fated to be the last time that he was shamefully and insultingly to deceive and betray his Catholic subjects!

Mr. Perceval was shot upon the 11th of May, and by the

eighth of the succeeding month, his colleagues in the ministry—after a brief series of negotiations and intrigues, possessing little interest now—were declared to be permanently re-seated in office, to carry out the same line of anti-liberal and anti-Catholic policy, as when Mr. Perceval presided over their councils. .

. Before coming to the occasions when the deceived and cruelly-disappointed Catholics gave expression to their feelings at these occurrences, we shall give a speech of Mr. O'Connell's, prior in date, relative to a matter of importance to the Irish bar, which had occurred just after the spring circuit of 1812.

. At this time he had already risen to an eminence in his profession, which fully entitled him to the prominent part he took in the defence of its privileges, on the occasion we are about to allude. His professional income, which had increased annually since he had been called to the bar, now exceeded £4,000 a year, and his business, whether in Dublin or on the circuits, was the first of any man not connected with, and, therefore, not enjoying the special favour of certain judges, (of which there were several instances at the time), nor advanced to a silk gown.

. The latter was undoubtedly Mr. O'Connell's right, and had been so for three or four years, so far as legal merits could deserve it. But the obstacle, of course existed, of that portion of the Catholic disabilities which pressed upon members of that communion engaged in the legal profession; and even had it not, the Irish government, in that and preceding, as for many a succeeding year, would have sedulously excluded him from all promotion, because of his adherence to the cause of his country. In fact, if any justice had been done him, he should have had a patent of precedence to which no *legal* obstacle existed.

- Although a digression from our subject, we may be allowed here to introduce some anecdotes of his bar career acceptable to the general reader.

. It is the fashion to call the bar a "liberal" profession. Undoubtedly, all occupations, which tend to call out and employ the powers of the mind, have a *prima facie* title to the designation in question. Yet that the legal profession does eminently, or much—we had almost said at all—tend to *liberalise* the mind, is, at best, most exceedingly doubtful. Nay, it is an opinion,

not without strong and reasonable foundation, that the hair-splitting dexterity—the microscopic keenness required by him who would successfully thread the law's intricacies, directly operates to injure the mind, and impair its powers of taking a large and comprehensive view of the great problems in debate among mankind.

• Eminent *legal* distinction has, indeed, been achieved; high office in the state has been won by the barrister class; but how few are there, among all the names of eminent legal men of past and present times, who have rendered service to humanity, either in the achievement of social and political ameliorations, or in the enlargement and exploration of the vast fields of mental inquiry and enlightenment? On the contrary, how many, what an overwhelming multitude of names could be cited from among them, of men who have basely truckled to power, and pandered with their talents and acquirements to all the tyrannous fancies of a monarch, or a party. Never monarch sought to extend the grasp of prerogative—never dominant faction in the state sought to crush down still more, and trample in the mire, the people's liberties—but he or they found ever the readiest tool, ever the most unscrupulous and most efficient agent in the eminent lawyer, whether clothed in what has been, with a cruel mockery, styled the *stainless* ermine of the bench, or yet contending in the forensic arena. If this has been the case, most indisputably in England, how much more so in Ireland, where, for ages, down to the present day, the rewards of talent have been held in the hands, and dispensed at the corrupt will of a government alien to the land, and hostile to its people.

• Within the forty-five years of the present century alone, this patronage has been most fearfully abused, and as a consequence, some of the worst instances of judicial perjury and barrister servility have occurred within that period.

• We are not to be understood as desiring to make any application of those remarks to the present grave and learned occupants of the bench; and most certainly there are among them those upon whom any comment should be one of praise.

• The Irish bar of the present day has, within the last two years, been a good deal redeemed by the spirit of nationality which has *begun* to manifest itself among them. But at the

period of Mr. O'Connell's life with which we are now engaged, the state of things was as bad as could be with the bench and the bar. Ignorance, insolence, and tyranny with the one, and corruption and servility with the other, added to and aggravated the crowd of hideous evils beneath which this country was groaning.

• Mr. O'Connell, from the outset, had determined that whatever might happen, the charge of servility should not attach to him. That of corruption he never dreamed of the possibility of incurring. To secure himself from the only one that could be possible, he early adopted, and throughout his forensic career, maintained the most entire and fearless independence in dealing with the judges, as with all whose favour and good will could at all be considered an object of importance to him. A practice (according to all accounts, by no means obsolete in the present day) then obtained, among a large proportion of the bar, of paying marked court to the attorneys, with a view of getting business from them.

• He, however, although ever disposed to treat, with due consideration, that class of gentlemen—in Ireland so eminent for talent and high respectability—rather erred on the side of uncourteousness to them, while practising, than on the opposite, through the same desire of maintaining his entire independence. Against any violation of the Bench of the rights and privileges of the bar, he was always bold and zealous, especially in the cases of young and timid beginners at the profession, who might be frightened by the brow-beating of a judge. In this respect he was useful to several barristers, his juniors, amongst others, to the late J. Martley, Esq., when he had been but a short time at his profession.

• This incident took place some years later than that at which we are arrived in this memoir; but neither with reference to this, or the other anecdotes here inserted, have we thought it necessary to observe the strict order of occurrence, but rather to note them down as they arose to memory.

• Mr. Martley had risen, in the Court of Common Pleas, to make his first motion, and, naturally enough, showed some signs of timidity and hesitation. The late Judge Johnson, who was one of the judges before whom he had thus presented him-

self, appeared to listen to him with considerable impatience and ill-humour, and two or three times interrupted him unnecessarily and very ungraciously. In this he was seconded violently by Lord Norbury, and the result was, that the young man, though possessing first-rate talent, became still more confused and embarrassed, and seemed in a fair way to be entirely put down and silenced.

• At this moment the subject of our memoir entered the court, and briefly gathering the particulars of what had occurred, instantly addressed himself to several members of the inner bar, and urged them to interfere. One and all they declined, on various pretexts; and seeing that he could obtain no help from those whose higher professional rank might be expected to give more weight with the judges, to a remonstrance against their conduct, he determined, at all hazards, to interfere himself.

Accordingly he rose, and at once addressed the bench:—

“My lords, I submit to your lordships, that Mr. Martley is entitled to be fully heard. He has a duty to discharge to his client; and it is not fair or right that he should be impeded in the discharge of that duty. I have not the pleasure of knowing Mr. Martley; but I cannot sit quietly by, and see a brother barrister treated in this manner.”

“Oh, Mr. O’Connell, we have heard Mr. Martley,” said Lord Norbury; “and we cannot have the time of the court any longer wasted.”

“Pardon me, my lord, you have *not* heard him. The young gentleman has not been allowed to explain his case; which, I am quite sure, he is perfectly competent to do, if he be allowed the opportunity.”

“Mr. O’Connell,” said Judge Johnson, with considerable austerity of tone and manner; “are you engaged in this case, that you presume to interfere?”

“No, my lord, I am not; but I stand up here for the privileges of the bar; and I will not submit to see them violated, either in my own person, or in that of any other member of the profession——”

“Well, well—well, well,” rejoined Lord Norbury; “we’ll hear Mr. Martley, we’ll hear Mr. Martley; sit down, Mr. O’Connell.”

• The command was of course at once obeyed, the desired point being carried ; and Mr. Martley, getting fair play, stated his case so ably, that his motion was at once granted.

• From this first opportunity he rose, in after years, to considerable business in his profession, and died, a few years ago, a Queen's Counsel, and Assistant-Barrister for the East Riding of the county of Cork. Throughout his life he retained a lively sense of Mr. O'Connell's services upon this occasion. •

• There is a story relative to his conduct in the case of the late Sir William M'Mahon, Master of the Rolls, which will appropriately come in here.

• For the first circuits after that gentleman had been called to the bar, he appeared unknown to every one, and several of the leaders of the circuit had, on various occasions treated him with marked slight. Mr. O'Connell's conduct was very different. Of Mr. M'Mahon, (as of course he was then,) or his family, he knew nothing ; nor was there private, as of course there was no professional reason why he should affect his acquaintance ; but he saw a modest, unoffending young man, wantonly ill-treated, and, as it were, put in Coventry, for no fault but, perhaps, want of sufficient assurance ; and he exerted himself, as far as lay in his power, to encourage the young man, and procure him proper consideration. Suddenly the conduct which had been generally observed towards the latter upon the circuit became altered. Where, before, civil contempt was the only feeling manifested, a desire of paying marked attention began to be displayed, which would have been very astonishing, were not the cause easily traceable. It was this :—Colonel M'Mahon's intimacy with the Prince Regent had recently attracted considerable attention from the occurrence, of several instances, which showed that his advantages were not limited to the *honour* of being intimate with one who was a king in power, though not in name. At once the perspective opened on men's minds, of the good things in store for his brother at the bar ; as also of what might fall to the lot of those who should chance to get into favour with the latter. Accordingly, he who had been hitherto neglected, and almost insulted, speedily found himself the object of pressing attentions at the hands of the very men who had before slighted him.

• This change of his estimation, in the minds of his professional brethren, was first most distinctly manifested during the ——— circuit of ———. The Munster bar (to which he belonged) were attending the Limerick assizes of that circuit, when Mr. O'Connell, who had been detained late in court, entered the mess-room a few minutes before dinner was served, and approached a group near the fire. To his astonishment, he found a pair of slippers placed there within the fender, and apparently carefully watched by several of those who stood near. Rather indignantly asking on whose account this breach of the common decencies of a dining-room was committed, a leader of the circuit cried out to him not to touch them, that they belonged to Mr. M'Mahon. This answer by no means appeased him; and, pushing the offending slippers away with his foot, he desired the mess-waiter to remove them at once.

• At this moment Mr. M'Mahon himself entered the room, and Mr. O'Connell going up to him, mentioned what had occurred; adding, that "Mr. M'Mahon might judge from his (Mr. O'Connell's) constant bearing towards him, when those who were fawning now had been utterly neglectful of him, that there was no intention to offer a wanton offence, in causing the slippers to be removed." Mr. M'Mahon at once declared that Mr. O'Connell had acted perfectly right; and expressed his regret at the origin of the affair.

• While touching on a few events of the legal career of the subject of this sketch, another anecdote of a different, and of a ludicrous character, will give an idea of his success in the defence of prisoners:—

• It had fallen to his lot, at an assizes in Cork, to be retained for a man on trial for an aggravated case of highway robbery. By an able cross-examination he was enabled to procure the man's acquittal. The following year, at the assizes for the same town, he found himself again retained for the same individual, then in trial for a burglary, committed with great violence, very little short of a deliberate attempt to murder. On this occasion, the result of Mr. O'Connell's efforts was a disagreement of the jury; and, therefore, no verdict. The government witnesses having been entirely discredited during the cross-examination, the case was pursued no farther, and the prisoner was discharged.

• Again, the succeeding year, he was found in the criminal dock ; this time on a charge of piracy ! He had run away with a collier brig, and having found means of disposing of a portion of her cargo, and afterwards supplying himself with some arms, he had actually commenced cruising on his own account, levying contributions from such vessels as he chanced to fall in with. Having “ caught a Tartar,” while engaged in this profitable occupation, he was brought into Cove, and thence sent up to Cork to stand his trial for “ piracy on the high seas.”

• Again Mr. O’Connell saved him, by demurring to the jurisdiction of the court—the offence having been committed within the jurisdiction of the admiralty, and, therefore, cognizable only before an admiralty court.

• When the fellow saw his successful counsel passing the dock where he stood to leave the place, he stretched over to speak to him, and, raising his eyes and hands most piously and fervently to heaven, he cried out—“ Oh, may the Lord spare you—to me !”

• Believing that our readers will pardon the digression, if so it can be called, which we have made, we now return to our collection of speeches.

• At a meeting of the gentlemen of the bar, held on Saturday, May 30, 1812, Mr. O’Connell delivered the following speech, as reported in the *Dublin Evening Post* of Thursday, June 4, 1812:—

“ He said that having had the honour of being called to the chair at the small meeting of the bar which had occurred in the vacation, he felt it to be his duty to state the object of those who called that meeting, and had adjourned to the present day for the convenience of the bar at large. The facts were, simply and without comment, these :—Shortly after the last circuit, Mr. Verner Moore had published, in the newspapers, a statement purporting to detail a transaction which he asserted to have occurred at the last assizes of Omagh. It purported, as far as it went, to be the report of a trial that had taken place in the public court-house, as personally interested Mr. Moore ; it was addressed to the Irish bar, and for the truth of the statement, Mr. Moore solemnly pledged himself. It appears that, shortly after, the benchers, as they are called, of the King’s Inns, had a meeting ; they summoned Mr. Moore before them ; they required to know if he were the author of the publication in question ; he admitted the fact—he went further—he admitted that

the mode of publication of his complaint, in a newspaper, was an improper one; but he again repeated his solemn assertion of the truth of what he had published, and offered to prove, beyond any doubt, its perfect accuracy. He was then dismissed; and the benchers who had, before his personal examination, deliberated in private, resumed their private sittings, and the result was, a vote of the severest censure on Mr. Moore; and another vote, that the censure should be read publicly in all the courts, on the first day of the present term. Such were the facts. It stood thus:—Mr. Moore had published a report of a trial, or part of a trial; if what he stated was true, misconduct of no ordinary kind was attributable to one of the benchers in the exercise of his public duty.

“The bench, including the personage thus accused, meet. They do not investigate the facts; they are incompetent to investigate any facts; their meeting is held in secret, and they inflict punishment for the publication of that which they do not accuse to be a falsehood. Upon this subject he would not, for the present, give any opinion; although he should be sorry any one supposed he had not formed a distinct opinion on it. But he would, for the present, concede that Mr. Moore was guilty of some offence that deserved punishment. The question was, whether the benchers had any jurisdiction over the offence. It was a question of great importance to the bar in every point of view. Their property, their characters, their honour, were all involved in its consideration. No man could well consider himself safe in his professional pursuits, if any body of men assembled in a private chamber, without power to administer an oath, or examine into a disputed fact; without form of indictment or mode of pleading; without allowing the advantage of counsel, or showing the grounds of decision, were entitled to vote away the profession and the reputation of the Irish gentlemen who belong to the bar. These were alarming considerations; he was ready to admit the respectability of the persons who composed this secret tribunal; it was not against the individuals he complained, it was against the existence of the thing itself. He could not see any, the least necessity for its existence. The Irish bar composed, he was convinced, the first profession in the world; it required no inquisitorial power to keep it within the bounds of the strictest propriety—nay, it possessed the most certain method of repressing misconduct amongst its own members, by the moral force of its own high character. The man who conducted himself in a manner unbecoming a gentleman would shrink abashed from their society, or, if he haunted the hall, he

would be seen to glide through it despised and unnoticed, and solitary in the midst of a crowd ; and if greater delinquency should be found, it would meet with exclusion and expulsion from the entire society, who were alone capable to exclude, but who could never conspire against an individual. This inquisitorial power could not be necessary for the protection of the judges ; it was ludicrous to suppose that it could ; the judges were armed with abundant power for their own protection—they could commit to the dock, they could force, they could imprison at their own discretion, almost at their caprice, for the slightest disrespect. All these powers existed, and were recognized by the law ; nay more, they were all absolutely necessary for the due administration of justice. To diminish any one of them would be to render it difficult, perhaps impossible to do justice effectually between angry litigants ; but those powers have been, by experience, found amply sufficient for that purpose. When, however, there is added to this, the natural effect which the disfavour of the judge must have upon the success of any individual barrister, it would be seen at once how unnecessary further securities were ; there was even danger of the other extreme and servility to the bench, to which poor human nature afforded so many temptations, could be guarded against only by the high-mindedness of educated gentlemen, who rather condescended to belong to a profession, than to be the slaves of its emoluments. Without the independence produced by this spirit, it would be impossible to be honest as an advocate ; for that advocate is not honest who, for his own sake, shrinks from the manly assertion of his client's rights, whatever may chance to be the impressions of the bench against it ; but at the Irish bar, where the very soul of honour was to be found, there was no danger of any tone being adopted but that which would dignify individuals and exalt a profession. It may, perhaps, be said, that although it is clear that the judges had sufficient means of making their authority respected in court, yet, that they wanted further grounds for contempts committed out of court, and the case of publication of a false and libellous account of a trial might be sustained. But this he was ready to deny, because there existed already abundant means of punishment for such contempts. There were attachments, informations, ex-officio or by rule of court, indictments, and actions.

“ Now, for example, this Mr. Moore might have been proceeded against in any of these ways if his publication were false. To an action he was liable, but there the truth would be a justification. An attachment or an information, by rule of court, might be obtained

against him ; but then an affidavit must be made of the falsehood of his statement, and he who swore the affidavit might be prosecuted in his turn ; so the information ex-officio, render truth or falsehood, immaterial ; but in a case of this kind, a jury would, in law, as well as in fact, be bound to acquit, if the publication were proved to be an unexaggerated statement of what had occurred at the former trial. It only remains then to see whether any person will be found sufficiently enough to deny, that this tribunal, called the benchers, was calculated to punish for the publication of the truth—of the truth of what occurred in the presence of the public—in a public court—at a public trial. It would be grossly to calumniate the respectable personages who composed that body, to assert that such was the jurisdiction they sought to exercise. It was important first to consider of the necessity of this species of tribunal before any discussion arose as to the legality of its jurisdiction ; because if it could be shown to him that such a jurisdiction was necessary for either the honour of the judges, or the convenience of the suitors, he should not be very scrupulous in investigating its origin, on the foundation of its authority. But being deeply impressed with the conviction, that the contrary was the fact—that this tribunal was unnecessary—that, of itself, and placed in the hands of the best of men, it was unconstitutional and dangerous—that its immediate effect must be to crush the spirit and independence of the bar, and to convert an honourable and liberal profession into mere retailers of chicane, and servile slaves of authority. With this impression upon his mind, he must solemnly protest against every exercise of power by this tribunal, even against a guilty individual, and conjure the bar, at once to ascertain their rights, and to trace the limits of this jurisdiction, so that it may be either ascertained to be a mere usurpation, or if it have a legal existence, that parliament may be resorted to for its abolition. For his part, he had given the subject all the attention in his power ; he had investigated all the sources of information on this subject, and he had convinced himself, that the benchers of the King's Inns had no legitimate authority over the Irish bar. As a legal or corporate body, it was clear, upon their own confession, that they had no existence. In the late case which they had instituted in Chancery against a Mr. Caldbeck, an objection was taken to their legal capacity to sue ; to this objection they had submitted, and their incapacity to exercise corporate functions was, therefore, matter of record. Prescriptive rights they could claim none ; their history was modern and well known ; charter they had

at present none ; about sixteen years ago they obtained one, with an act of parliament to confirm it ; but this act, which had passed *sub silentio*, having been discovered, the bar remonstrated, and in the ensuing sessions the statute and charter were repealed. Such was the short history of this formidable tribunal ; it had no chartered rights, no powers by statute, no claim to prescriptive authority. It was, indeed, mentioned in two or more statutes, but merely to qualify it to take land for the purposes of buildings. Statutes that, so far from admitting its general corporate capacity, were direct evidence that none such was in existence.

“ But he might be told, that although the foundation of its authority could not be clearly ascertained, yet that facts proved its existence ; and, in the absence of argument, precedents might be resorted to, a thing not unusual. There were, indeed, four instances of interference by the benchers with the bar ; four instances in which men had been struck out of the barristers’ roll upon their recommendation. In the two first, the cases of School and Brody, the profession had been disgraced by the commission of the crime, he believed, of perjury. The indignant Irish bar rejoiced at the expulsion of such men, and cared little by whom they were kicked out of the hall. The other two instances were those of Messrs. Arthur O’Connor and Thomas Addis Emmett. Those gentlemen had, in the year 1799, been, upon a similar recommendation, disbarred. But it should be recollected that they first stood convicted, upon their own confession, of being traitors—that they had forfeited their lives to the laws, and had actually, upon an agreement with government, submitted to perpetual banishment. When he spoke of the crimes of those gentlemen, he could not but express the regret he felt at mentioning the name of one of them, with whom he had once the pleasure to be personally acquainted. Whatever might have been the political crimes of Mr. Emmett, those who knew him were bound to say, that a more worthy gentleman, in private life, never lived. But having abjured the realm, the benchers exercised the superfluous loyalty of getting them excluded from the list of Irish barristers. No person was interested to inquire into the authority by which so immaterial a result had been produced. Such are the precedents—the only precedents that can be alleged. What do they prove ? Just nothing. But, perhaps, I am mistaken ; perhaps this jurisdiction does exist ; you may not be willing, and you ought not to submit to act upon my researches ; yet I hope I have said enough to convince you, that an inquiry ought to be instituted, and that every man at the Irish bar

may know, upon what footing the preservation of his professional property and personal honour stands. This inquiry should be conducted in the most respected manner; no offence will be taken where none is intended; we would be bound to make the inquiry at every risk; but, in truth, the benchers themselves are ready to concede much to the general feeling of the bar. To this feeling they have already sacrificed the resolution to publish their censure of Mr. Moore. If the bar declares its conviction that no such inquisitorial authority does, in point of law, and that none such, in point of fact, ought to exist, we shall never again hear of the cause of our present alarm.

“Mr. O'Connell moved, ‘that a committee, consisting of three of the gentlemen of the bar, be appointed to ascertain the authority of the benchers, either to censure or disbar a barrister.’”

• The benchers not only gave no redress in the matter dwelt upon in the foregoing speech, but were guilty of the additional arrogance and injustice of not paying even so much attention to the bar-remonstrance, as to acknowledge having received it.*

• We are now come to the first general manifestation of feeling on the part of the Catholics, upon the disappointment of their hopes, after the assassination of Mr. Perceval. The extent and nature of that disappointment will be best gathered from Mr. O'Connell's speech. It was at this meeting that the resolutions were passed, known in the records of Catholic agitation as the “*witchery*” resolutions. In the third resolution of the statement we give of them, will be found the allusion that supplied the designation. It refers to the shameful entanglement of the Prince Regent with Lady Hertford—an entanglement, by means of which, influence was exerted over him to entirely destroy what remnant of honour and good feeling there was yet in his cold and selfish heart.

The allusion gave great offence, not only in the quarter for which it was intended, but also to many of the timorous or deceitful “friends,” as they called themselves, but gracious patrons, as they in fact assumed to be, of the Catholics. By them it was strongly reprobated; but the bold and singularly-able compiler of these resolutions, Denis Scully, cared little for

* In the Appendix will be found a *quib*, relating to these occurrences, written by Charles Phillips, and much circulated at the time.

the offence, when seeking to give vent and expression to the mortified and indignant feelings of himself and follows.

• The Donoughmore family, then true to Ireland—as one of them has again recently proved himself—were not amongst those who disapproved of this semi-declaration of rupture with the Prince Regent, and their approbation of it was an additional reason for persisting.

• The meeting took place at Fishamble-street Theatre, on Thursday, June 18, 1812—Lord Fingal, as usual, in the chair. After some preliminary matters, Mr. Hussey rose, and gave an account of the proceedings of the gentlemen who had been sent to London on the part of the Catholics. He stated, that on applying for a personal interview with his Royal Highness the Prince Regent, they received a blunt refusal, and were informed by Mr. Secretary Ryder, that the address to his Highness, with which they were charged, should be presented at one of his public levees, “in the usual way.”

• Of course there was no option but to submit; and, accordingly, the address was so presented, and received, too, “in the usual way” of most addresses presented on such occasions, viz.: the announcement of its purport and origin being all that was allowed to be stated, and then the document itself being handed over to the tender care and entire forgetfulness of one of the lords in waiting.

• “His Royal Highness,” said Mr. Hussey, “was not pleased to make any communication on the subject to the Committee. What impression was made upon his mind was not known; what he felt, what he thought are left to conjecture (it was not long left a matter of mere *conjecture*); but this melancholy fact is sufficiently understood, that his Royal Highness did not think fit to offer any recommendation to parliament upon the subject; and it is notorious, that the minister seemed to have acquired new zeal in propagating his old insinuations against the Catholic people, and in repeating his old experiment against religious liberty.”

• Mr. Hussey went on to state, that a personal interview had, indeed, been offered to the Earl of Fingal, in his right as a peer; but that his lordship had conceived he ought not to avail

himself of the privilege, so as to have any interview, or occasion for acting, without the full knowledge and co-operation of the gentlemen who had been appointed to accompany him on his mission.

“Every artifice, (continued Mr. Hussey,) every hostility was used by the administration and its adherents, against the Catholic petition to parliament. *The same cry was raised which gave them in England the value of popularity at their outset; and in every street we were met by placards from various debating societies, that the question to be argued was, would not the emancipating of the Catholics be attended with worse consequences than the naturalization of the Jews? Publications, which had lain dormant for hundreds of years, were dragged from their obscurity, and circulated with an anxiety and industry heretofore unknown; every calumny that could be thrown against our tenets—everything against our priesthood—every libel, and every lie, were marshalled against us!*”

• Are we recording a description of former times, or is it not of our own? A ministry getting popularity “at their outset,” by the no-popery cry; “placards,” (those of Exeter Hall), inflaming the minds of the passers in the street; “publications that lay dormant for centuries (poor Peter Dens?) dragged from their obscurity, and circulated with anxiety and industry;” “every calumny against our tenets—everything against our priesthood,” (‘virgin-worship, surpliced ruffians, a demon priesthood,’ &c., &c., see *Times*, *passim*,) “every libel and every lie, (Sir Culling Eardly Smith, &c., &c., to wit,) marshalled against us!”

• Why, it is a description of what we have experienced in our own time; nay, it is a description of what we have experienced at all times, and are doomed ever to experience at the hands of Englishmen, until we deprive them of all power to interfere with us, and render our country and ourselves independent of English opinion, as of all else that is English.

• Even at the risk of being accused of prolixity in our details, we cannot refrain from noting another part of Mr. Hussey's speech, in which he alludes to the conduct of the late Lord Ross. The allusion has its relevancy now, as his son and

successor seems so desirous of taking every occasion of showing, that what Mr. O'Connell has styled "the hereditary hostility of the Parsons' family to Ireland," has been transmitted down to him as venomous and vicious as ever.

• "I wish," said Mr. Hussey, "to mention a circumstance relating to a member of the House of Lords, which will excite the most lively feelings of indignation in the breast of every Irishman. On the evening when Mr. Perceval was assassinated in the lobby of the House of Commons, Lord Ross (better known as Sir Lawrence Parsons) was in his place with the peers; and when the information of that horrid deed was brought to that house, what did his lordship say? He addressed himself to the peers of the opposition, and exclaimed—'*You see, my lords, the consequence of your agitating the question of Catholic Emancipation.*'"

• After a just tribute to the kindness and exertions of the Duke of Sussex, Lord Donoughmore, and Mr. Grattan, who had received the delegates most encouragingly, and aided them to the utmost of their power, Mr. Hussey sat down amid cheers, and a vote of thanks was passed unanimously to him and to his colleagues. Some of them having returned thanks, and Mr. O'Gorman having made a report of the transactions of the Catholic Committee during the preceding ten or eleven months, Mr. O'Connell came forward to submit to the meeting the resolutions we have before mentioned, and which we give here in full detail and form, as afterwards published in the newspapers.

"At an aggregate meeting of the Catholics of Ireland, held in the Theatre, Fishamble-street, on the 18th of June, 1812—the Right Hon. the Earl of Fingal in the chair—

"It was moved by Counsellor Finn, and seconded by Major Brian, 'that Thomas Dromgoole, Esq., M.D., be now appointed Secretary to the Catholics of Ireland.'

"The above resolution passed unanimously.

"The following resolutions having been then moved by Lord Killeen, and seconded by the Hon. Mr. Barnwall, were carried unanimously:—

"1. Resolved—That we do forthwith renew our humble but earnest application, by petition, to the legislature, praying the total and unqualified repeal of the penal laws which aggrieve the Catholics of those realms—infringe the

sacred rights of religious liberty—and endanger the existence of the British empire.

"2. That the charge of preparing such petitions, and of causing them to be duly presented, without delay, be confided to the individuals (possessing the confidence of the Catholics of Ireland) named at the last aggregate meeting, as the Board of the Catholics of Ireland.

"3. That the said persons are so nominated, not to represent the people of those realms, or any portion thereof, but for the purposes, solely and exclusively, already prescribed, and for no other purpose whatsoever.

"4. That from authentic documents now before us, we learn with deep disappointment and anguish, how cruelly the promised boon of Catholic freedom has been intercepted, by the fatal *witchery* of an unworthy secret influence, hostile to our fairest hopes, spurning alike the sanctions of public and private virtue, the demands of personal gratitude, and the sacred obligations of plighted honour.

"5. That to this impure source we trace, but too distinctly, our afflicted hopes and protracted servitude—the arrogant invasion of the undoubted right of petitioning—the acrimony of illegal state prosecutions—the surrender of Ireland to prolonged oppression and insult—and the many experiments, equally pitiful and perilous, recently practised upon the habitual passiveness of an ill-treated, but high-spirited people.

"6. That cheerless, indeed, would be our prospects, and faint our hopes of success, were they to rest upon the constancy of courtiers, or the pompous patronage of men, who can coldly sacrifice the feelings and interest of millions, at the shrine of perishable power; or, deluded by the blandishments of a too-luxurious court, can hazard the safety of a people, for ill-timed courtly compliment. The pageants of a court command not our respect—our great cause rests upon the immutable foundations of truth, and justice, and reason. Equal constitutional rights, unconditional, unstipulated, unpurchased by dishonour, are objects dear to our hearts. They consist with wisdom, virtue, humanity, true religion, and unaffected honour; and can never be abandoned by men who deserve to be free.

"7. That for the complete attainment of this, our constitutional object, we firmly confide in our now persevering exertions, in the enlightened wisdom and growing liberality of our fellow-citizens, (recently and gloriously exhibited in their petitions to parliament in our behalf,) and, above all, in that over-ruling Providence which presides over the destinies of nations, and permits not the oppression of man, by his fellow-creatures, with impunity.

"8. That, turning with disgust from the gloomy wreck of public character, presented in recent events, we recognize with esteem and admiration the truly noble elevation of sentiment which has distinguished Lords Grey and Grenville, and the other personages who, with them, have stood aloof from the allurements of intrigue; and maintained the high station of rigid independence. We regard their recent conduct as dictated by sound wisdom, by well-founded caution, and by an honest anxiety, as well for the secure attainment of great public benefits, as for the conservation of their personal honour.

"9. That we have found, in the Earl of Donoughmore, a steady, earnest, and intrepid advocate of our rights—an ever faithful sentinel of our interests—an undaunted and judicious asserter of truths awfully important to our country. That the Right Honourable Henry Grattan has eloquently sustained our application in the House of Commons, and has again deserved our eternal gratitude; and that our chairman be requested to transmit these our sentiments in suitable terms to all those illustrious personages.

"10. That we have viewed, with inexpressible pleasure and admiration, the generous exertions of our fellow-citizens, of other persuasions, in our behalf, their solicitude in subscribing and recommending petitions to parliament for our relief, their spontaneous support at public meetings. We hope to merit their

honourable confidence by a continuance of the same temperate, but firm conduct, which has already conciliated their esteem; and, though we cannot, in sincerity, proffer those securities, or arrangements, (amounting, if practicable, to the new exchange of one species of servitude for another), yet we must cheerfully tender to their kind acceptance the only equivalent in our power, our warm affections and lasting gratitude—our oaths of allegiance—our past loyalty and merits—our present willingness to assist (when by law permitted) in the arduous enterprise of saving the sinking vessel of the state.

“11. That from recent observation of political duplicity, we feel it necessary to recommend most earnestly to all Catholic freeholders throughout Ireland, steadily to resist the pretensions of any candidates, who shall hesitate to pledge themselves publicly to the uniform support of Catholic Emancipation; or who shall lend, or are likely to lend, their support to an administration, founded in intolerance, and hostile to the full enjoyment of religious liberty.

“12. That the expenses, unavoidably attendant upon the conduct of Catholic petitions, and the defence of the invaded rights of petitioning, call for the liberal aid of our fellow countrymen, and we confide to the public spirit and zeal of the Catholic body, throughout every district, for ample pecuniary support.

“13. That these our resolutions be published in the public prints, four times in four of the London newspapers, and six times in six of the Dublin newspapers.

“14. That the most cordial gratitude of the Catholics of Ireland is due to the author of the ‘Statement of the Penal Laws,’ lately published—a work in which we recognize all the accuracy of great legal knowledge combined with the classic elegance of the scholar, and the profound observation of the philosopher.

“15. That the Catholics of Ireland have beheld with sentiments of the deepest gratitude, the exalted patriotism of his royal highness the Duke of Sussex, manifested by his constitutional and enlightened support of the principles of religious liberty.

“16. That the warmest expressions of admiration and thanks are due, and hereby given to Counsellor Finlay, for the luminous and profoundly eloquent speech delivered by him this day.

“17. That the Protestant gentlemen who have honoured our meeting this day with their presence, are deserving of our warmest thanks.

“18. That the Catholic Board be requested to submit petitions to the Catholics of Ireland, in aggregate meeting assembled this day fortnight, for their adoption.

“19. That we do strongly and earnestly recommend it to the counties, cities, and great towns in Ireland, again to accompany the Catholics of Ireland, by local petitions, inasmuch as we consider the reiteration of an universal application to the legislature as one of the most effectual means of success.

“20. That the thanks of the Catholics of Ireland are due, and are hereby given, to the noblemen and gentlemen deputed by our board to convey our petition to parliament, and our address to the Prince Regent, for their faithful, zealous, and honourable discharge of the trust reposed in them.

“21. That the warmest and most cordial thanks of this meeting are due, and are hereby given, to the Earl of Fingal, for his highly dignified conduct in the chair this day.

“FINGAL, Chairman.

“THOMAS DROMGOOLE, M.D., Secretary.”

† These resolutions, after having been thus read by Mr.

O'Connell, were moved by Lord Killeen, and seconded by Mr. Barnewall.

A very able and excellent speech followed from John Finlay, Esq., (at present Assistant-Barrister for Roscommon county), to whom the cause was much indebted for powerful oratory and useful exertions on many occasions.

The reference at the commencement of Mr. O'Connell's speech, which we are about to give, is to the gentleman just mentioned.

Mr. O'Connell—"I have, my lord, much to say, but I shall say little: I cannot venture to detain you after my eloquent friend—after the brilliant display you have just witnessed of the talents and powerful eloquence of my learned and excellent friend, Mr. Finlay. We do, indeed, owe him much: I was about to regret that he was not a Catholic, I was so pleased with him, and so anxious that we might have the credit of such talents; but when I consider, I think it is better that matters should be as they are; for it must gratify every Catholic in Ireland to have Protestant talent such as his come forward to grace and support our assemblies; and it is a new source of unconquerable strength to our cause, to have Protestant and Catholic equally ardent in the struggle in which we are engaged. His are talents which ministerial corruption could not purchase, for they are beyond all price.

"My duty calls upon me to address you; I may be mistaken; but I consider it as my duty—upon a subject, painful in itself, yet as speaking upon it may be beneficial in its consequences, I will not shrink from, nor decline it: I allude, my lord, to the public assertion of some of the many pledges which his royal highness the Prince Regent was graciously pleased to tender to the Catholics of Ireland, before any part of the executive authority of the state had devolved upon him.

"I shall state but a few of them: I do it without any breach of confidence, or violating any honorary engagement, either expressed or implied. Without egotism, perhaps I may say, that no person will charge me with being guilty of either—and I defy my enemies, who are mine only because they hate or oppress my poor country, to insinuate the slightest doubt of the veracity of my assertions.

"I shall bring before the public, for the present, but four of those pledges. I am sorry they were not formerly made generally public; for if they had, no man could have been so profligate as to advise the

Prince to anything tending towards a violation of them, and much of the anxiety and distrust which now distract the mind of the nation; might have been spared and avoided.

“The first in rank, though not in order of time, is that communicated to the Catholics of Ireland, by his Grace the Duke of Bedford. He lives—my witness lives: what is said here will probably reach him through the public papers; and I call upon him, publicly to contradict anything I advance, which is not literally warranted by the fact. Thus, then, do I state, that in 1806, about the commencement of the Fox administration, when the Catholics, flushed with hope at seeing their late advocates in power, were about to prepare petitions to parliament, the ministry used many means to postpone that measure. At that period, and as one of those means, his Grace the Duke of Bedford, then lord-lieutenant of Ireland, did communicate to the Catholics of Ireland, the wish of his Royal Highness the Prince of Wales, that the question should not then be agitated; and at the same time, his decided conviction of the justice of our claims, and his decided resolution to admit them whenever he should have power to do so.

“Perhaps I can state this pledge; but I see persons before me to whom this language was held; and I am quite sure that the Duke of Bedford would *never, never* have conveyed one idea on the subject, if he had not his authority directly from the Prince.

“Secondly, my lord, we have had in the same year, the same pledge repeated to many Catholics, by the Chancellor of Ireland, George Ponsonby.

“The keeper of his Majesty’s Irish conscience must be supposed to have had a kind of reversionary solicitude for that of his Royal Highness, the heir apparent. Mr. Ponsonby does, I understand, distinctly avow the authority under which he communicated to the Irish Catholics, the promise of emancipation—when, in the fullness of time, he, whom we then cherished as the early friend of Ireland, and the proudest hope, should have it in his power to rouse the enthusiasm of an elective people round his throne.

“Good God! what a prodigal waste has since been committed—not of wealth, for that, comparatively, is no more than trash—but of the cheerful and best defence of the monarch, the Irish people’s love.

“The third pledge is a written one, and is in the possession of a Catholic peer, not now present. I have not the honour to be sufficiently known to the Earl of Kenmare, to have applied to him for it; but I entertained hopes of being able to procure it through a friend

of mine, and of his lordship. It is sufficient to say of that pledge, that it afforded for years consolation to the Irish Catholics; and the discretion with which it was communicated, enhanced its value. I believe, my lord, I need not state to you how little doubt it could leave of the firm decision of the Prince's mind upon our question.

"The fourth and last pledge, which, for the present, I shall mention, was that given by his Royal Highness to a noble lord now present. At the conversation I allude to, that noble lord was accompanied by the late Lord Petre, and the present Lord Clifden. After retiring from the presence of his Royal Highness, the declarations which he was so graciously pleased to make, were from a loyal and affectionate impulse of gratitude, committed to writing, and signed by the three noble lords.

"His Royal Highness did, I understand, offer something like an apology, for not having taken an active part in promoting the success of our petition, in 1805. He was pleased to say, that obvious motives of delicacy restrained his interference on political subjects, but that this delicacy was still more imperative on our question. However, he desired it to be understood that he had formed his opinion upon it, and would ever entertain them unaltered. They were, that concession to the Irish Catholics were required, not only by reasons of expediency and policy, but by the first principles of justice.

"I will not add—I must not add one word more on this subject. These were the sentiments of his Royal Highness: we should have proclaimed them last year, and no minister would have been found sufficiently profligate to have disappointed our certain expectations of immediate relief: nor has his Royal Highness, to this hour, by any personal act of his—by any public declaration, or recommendation to parliament, retracted any part of these sentiments. Let us, then, fondly and respectfully hope that they are unaltered. Sure I am that no base minion will venture to assert, that the air of Manchester-square has infected the royal mind with *simples*, or that Lord Yarmouth has inoculated him with the theory or practice of excessive piety.

"We may still hope. Hope, the last refuge of the wretched, is left us; and we lately indulged it almost with the pleasures of certainty: a crime, the horrid crime of causeless assassination, had deprived England of her prime minister—for, my lord, everywhere but in Ireland, assassination is admitted to be a crime. Here, also, it depends on circumstances; you have but to combine these circumstances. Let the victim be an Irish papist—let the murderer be an

Orangeman—and let a legal junta administer the government in the name of the Duke of Richmond. It requires no more to turn murder into merit!

“The process in England is different. There they hanged and dissected the murderer, and transferred the advantages of the crime, if I may so express myself, to the victim; it really and truly has been considered a merit in Mr. Perceval to have been murdered. The public men in England seem to think his death constituted not only an expiation for all his political sins, but turned his offences against his country into virtues.

“For my part, I feel unaffected horror at his fate, and all trace of resentment for his crimes is obliterated. But I do not forget that he was a narrow-minded bigot, a paltry statesman, and a bad minister—that every species of public corruption and profligacy had in him a flippant and pert advocate—that every advance towards reform or economy, had in him a decided enemy—and that the liberties of the people were an object of his derision.

“All this has not been changed by the hand of this assassin; yet I do, from my heart, participate in the grief and anguish which his premature fall must have excited within his domestic circle. The sorrows of his family have been obtruded on the public by ill-judging party writers, with something like ostentatious affectation; but I do not love the man—nay, I hate the man who could contemplate, coldly and unmoved, the affecting spectacle of the wife and children standing in speechless agony round the lifeless body of the murdered husband and father; it was a scene to make a stoic weep.

“But are all our feelings to be exhausted by the great? Is there no compassion for the wretched Irish widow, who lost her boy—her hope, her support? I shall never forget the pathetic and Irish simplicity with which she told her tale of woe—‘My child was but seventeen; he left me on Sunday morning, quite well, and very merry, and he came home a corpse.’ Are her feelings to be despised and trampled on? Is the murderer of her son to remain unpunished, perhaps to be rewarded? Oh, yes; for Byrne was a papist, and the assassin, Hall, was an Orangeman, nay, a purple marksman; and, recollect, that his Grace the Duke of Richmond did not pardon him until after a most fair and patient trial. Hall was defended by his counsel and attorney; he was tried by a jury of his own selection—I say of his own selection—because he exhausted but few of his peremptory challenges; nobody, indeed, would think of accusing honest Sheriff James of packing a jury *against* an Orangeman. Even had the list

been previously submitted to the secretary at the Castle, he would not have altered a single name; Sir Charles Saxton might have reviewed it with perfect safety to the prisoner.

"After a patient trial, and a full defence, Hall was convicted; he was convicted before a judge, certainly not unfavourable to the prisoner; he was convicted of having murdered, with the arms entrusted to him for the defence of the public peace, and in the public streets of your city, and in the open day, an innocent and unoffending youth. He has been pardoned and set at large—perhaps he has been rewarded; but can this be done with impunity? is there no vengeance for the blood of the widow's son? Alas! I am not, I trust, inclined to superstition, yet it obtruded itself on my mind, that the head of that government which had allowed the blood of Byrne to flow unrequited, might have vindicated the notion of a providential visitation for the unpunished crime.

"My lord, I have digressed: I meant to speak of Perceval's removal by the assassin, merely as that tragic event opened a near prospect of our emancipation: we should have been emancipated. At the moment I am speaking, the bill for our relief would have been in its progress through the legislature—we should have been emancipated this very sessions, unconditionally and completely emancipated; but for what?—I speak it in no anger, but in the deepest sorrow—but for Lord Moira.

"Lord Moira is a name that I have never before pronounced without enthusiasm; I am quite aware of his high honour, his unbounded generosity, his chivalrous spirit; his heart has ever been without fear, his intentions have ever been, and will ever be, without reproach; Ireland was justly proud of him; where could his fellow be met with? In the disastrous period that preceded the Union—at the time that measure was in preparation—when Foster and Clare banished Abercrombie from Ireland, because he was humane—when murders marked the day, and the burning cottages of the peasantry illumined the darkness of the night—when affright and desolation stalked through the land—when it was a crime to love Ireland, and death to defend her; at that awful moment, Moira, the good, the great Moira, threw himself between his country and her persecutors; he exposed their crimes; he denounced their horrors; he proclaimed and proved their guilt; and, although they were too powerful to be beaten down by him, he has left his country the sad consolation of beholding a perpetual record of the infamy of her oppressors.

“Good God! if his advice had been taken in 1797, what innocent blood would have been spared; how many cruel oppressors would have been punished! and oh! our country would still have a name, and be a nation.

“Can these services be forgotten—can these virtues be unremembered? No, never; but still the truth must be told. *This is Lord Moira's administration.* He it was that stood between some worthless minions and the people's hopes. He had to choose between them; and he has given his protection, not to Ireland or the Catholics, but to Lord Yarmouth and his family. It is now confessed that a single word from Lord Moira would have dismissed the minions, and placed Earl Grey and Lord Grenville at the head of affairs. Why was not that fated word pronounced? Alas! I know not. Full sure, however, I am, that the intention which restrained it was pure and honourable; but I, at the same time, feel its fatal effects. We are, my lord, to continue slaves, because Lord Moira indulged some chivalrous notions of courtly romance!

“It may be said, that as Lord Moira has interfered, the Catholics may reasonably expect some relief. Let us not be deceived. From the present ministry we cannot expect anything. Our best and boldest advocate, Lord Donoughmore, has, in his manly reply to our address, offered the best advice that ever was given to the Catholic people of Ireland. He has suggested the grounds of caution and jealousy. We know his devotion to our cause; but this last proof of his zeal and vigorous integrity, has rendered it impossible that we should ever be sufficiently grateful. I am proud that your resolutions re-echo his sentiments.

“But, in sober sadness, in whom are we to confide? Are we to believe the word of Castlereagh? My lord, I would not believe his oath. Already has he been deeply pledged. He was an United Irishman, and as such, must have taken their test. It was then administered, I believe, without the ceremonies of an oath, but it had all the solemnity of that obligation. It pledged him to Catholic Emancipation and Parliamentary Reform. Again, my lord, upon the hustings of the Down election, he was called upon, and he volunteered a similar declaration. It was a bond, solemnly given to his constituents and his country. But how has he redeemed those pledges? Why, he has emancipated the Catholics by duping some of them at the Union, and uniformly voting upon every question against us; and he has reformed the parliament by selling it to the British minister. May this Wulcheren minister be suitably rewarded

in the execration of his country ; and may he have engraved on his tomb for an epitaph—

“ ‘ Vendidit hic auro patriam.’ ”

“ No, my lord, from us Castlereagh can obtain no confidence, not can his colleague, Lord Sidmouth, expect that the friends of toleration can confide in his promises. Lord Sidmouth, who declared to parliament that he would prefer the re-enactment of the penal code to the extension of one other privilege to the Catholics ; Lord Sidmouth, who began his absurd career of persecution with the Dissenters in England ; that Lord Sidmouth (liberal and enlightened gentleman) has been selected for the home department ; he it is who is to regulate the motions of our provincial government ; he it is that is to cheer the drooping spirit of persecution in this country ; his natural allies are embodied here ; the group of ‘ good men,’ as they fantastically designate themselves, who manage the legal administration of this country ; men who have worked themselves into reputation with ancient maidens and decayed matrons, by gravity of deportment and church-wardening piety, but who, all their lives, have been discounting religion and the Deity into promotion and the pay and plunder of office—those men, together with *our friend* (the Solicitor General), have a suitable companion in Lord Sidmouth, and we should, instead of concessions, be prepared rather to expect some other persecution, grounded, if possible, upon a pretext still more absurd than that ‘ pretence means purpose ;’ that assertion, which I defy an honest man, however credulous, to believe.

“ From this ministry we expect nothing ; let us be on our guard, and cautiously watch their progress. As Lord Moira has been their patron, they will endeavour to deceive him with a show of concession ; but their object is to give a change to the question. In its present shape it presses upon them with all the force of present expediency, and all the weight of eternal justice. If they could entrap us into collateral discussions ; if they could entangle us in the chicanery of arrangements and securities, the public attention would be distracted and turned from the principal object ; time would be wasted in useless discussions ; animosities would be created upon points of little real importance, and whilst the ministry practised the refinements of bigotry, they would give themselves credit for unbounded liberality.

“ These are not imaginary fears ; the nature of the subject must convince any man, that such was the design of an adminis-

tration that had, for its only recommendations, intolerance and incapacity.

"Indeed, the indiscretion of the party already betrayed itself. It is not twenty-four hours since a friend of mine had occasion to converse with one of those right honourables, who did the business of the Castle, who are always as ready to pack juries as to obtain pardon for an assassin, or to write paragraphs in the *Patriot*. My friend said, 'Why, you are going, I find, to emancipate the Catholics at length.' 'We!' replied the other. 'Oh, no! Canning's motion will entangle the rascals completely; we shall easily get rid of them without committing ourselves.'

"Of those men, Lord Donoughmore has advised us to be distrustful. I beg leave to say more. Let us utterly disbelieve them. It is impossible that they can do anything for us; they would be false to themselves if they were true to Ireland. But we are not without our resources; we have them in ourselves; we have them in the liberality of our Irish Protestant brethren; we have them in the support of such men as the all-accomplished Vernon, son to the Archbishop of York—as the honest and independent Robert Shaw. We have also a rich resource in the eternal ridicule with which bigotry has lately covered itself in the persons of its chosen apostles, Paddy Duignan and Jack Giffard; but, above all, we are strong in the justice of our cause, and in the unextinguishable right of man, in every soil and climate, to unlimited liberty of conscience. Let us, however, expect nothing from the mere patronage of courts and ministers. The advice given by a noble advocate of ours, to other slaves, in a poem, that, it is impossible to read without delight, is not inapplicable to our situation:—

" 'Hereditary bondsmen! know ye not,

Who would be free, themselves must strike the blow—

By their right arms, the conquest must be wrought;

Will Gaul or Muscovite redress you?—No.

True, they may lay your proud despoilers low,

But not for you will freedom's altar flame.

Shades of the Helots—triumph o'er your foe—

Greece change thy lords, thy state is still the same.

Thy glories all are o'er, but not thy years of shame.'

"Yes, we must, after all, look to ourselves—to a perseverance in a course of temperate, but firm exertion—to that blow which we can strike on Prejudice by the force of Reason, and the unceasing exhibition of our meritorious conduct.

"It is true, that after common sense has overthrown every pretence,

that there is anything in the Catholic Religion hostile to loyalty or liberty ; another ground has been long since taken, and from time to time revived, by the unhappy dulness of one pedant or the other. It consists in an admission that the Catholic religion is quite innocent, and even laudable in other countries ; but that it acquires malignity from the soil on its transplantation into Ireland. In short, that other papists are innocent or good ; but that Irish papists are execrable.

“ This precious doctrine has been dressed up anew, in sufficiently bad English, and published in a pamphlet called ‘ a Speech,’ by that snug little Foster, who represents Trinity College in parliament. It is added, too, with most admirable consistency, that the mass of the Irish papists are quite indifferent to the question of Catholic Emancipation. But see what the fact is. Look to the history of the last six months for the contradiction of those vile assertions. Why, the Protestants of Ireland had only to show their wish to relieve us—they could do no more than express their inclination to set us free. The Union deprived them of the power to give us liberty ; but they declared it was our right, and they joined us in demanding it. What followed ? Why, in the first place, a season of unexampled scarcity and distress in both islands. In England there chanced to exist tumult, riot, destruction of property, murder, insurrection, and almost actual rebellion. In Ireland there was seen tranquillity the most profound, obedience the most perfect ; pressed by famine and want, goaded by insulting prosecutions, by arranged juries, by the thousand other wrongs which I shall not name, the people of Ireland have found abundant consolation in the single liberality of their countrymen, and they have shown their sense of this liberality by dutiful and unbroken submission at those moments of the greatest peril England has as yet known. Not a feather is ruffled on the surface of our island. The Caravat and the Chauvest seem to have forgotten their quarrels ; and every angry tone and turbulent propensity is hushed by the presence of the spirit of universal toleration.

“ In the meantime, the precious hours for peace and conciliation are wasted—the genius of Napoleon, the star of his imperial house, prevails. England, under the guidance of the venerated name of Moira, has appointed an administration first rejected, and then approved by parliament, for the appointment of which Napoleon would have given millions. How he must rejoice to see the parliament degrade itself by inconsistent votes—to see the Dissenters and Catholics insulted by

the nomination of Lord Sidmouth to rule the Home Department—to see Walcheren Castlereagh conducting our war counsels ; and, last and wonderful, to see Lord Liverpool prime minister !!

“My lord, securities are wanting ; they are wanting for the last refuge of public liberty—the only remnant of representative government in Europe ; they are wanting for the throne and the people ; they are wanting against the folly, the incapacity, the intolerance of the ministry—against the power and the talents of the French Emperor. He, to be sure, is absent for a season—he is gone to Petersburg, to receive the submission of a vassal, or to dethrone an enemy. It is absurd to expect any other result ; he will return with his hundreds of thousands to the conquest of Spain and Portugal. What can the unarmed bands of the one country, or our few companies in the other (though braver spirits than our brothers and kinsmen there never graced a field of fight)—what can they be able to do, overmatched by myriads ? And then, my lord—and then, in what condition shall those countries be found to fight the battle of our existence ?

“It is to prepare for that dreadful moment, which is so steadily on its progress, that all my anxieties are roused. I should fear it not, if a system of conciliation and mutual tolerance were once adopted—if justice were distributed by the hand of confiding generosity—if the persecutions ceased, and that the persecutors were removed—if Grey were prime minister, and Moira, then restored to the hearts of his countrymen, were lord lieutenant. Every village would produce a regiment, and every field serve for a redoubt. The Prince would then be safe and glorious ; and the country, combined in its strength, would laugh to scorn the power of every enemy.

“This is a vision ; but it might have been realized. And why has this prospect been closed ? Why !—to *preserve the household* ! Oh, most degrading recollection ! My feelings overpower me—I must be silent.”

The administration so severely commented upon was as follows :—

First Lord of the Treasury, . . .	Lord Liverpool.
Chancellor of the Exchequer, . . .	Right Hon. Nicholas Vansittart.
President of the Council, . . .	Lord Harrowby.
Home Secretary, . . .	Lord Sidmouth.
War and Colonial Secretary, . . .	Lord Bathurst.
Foreign Department, . . .	Lord Castlereagh.
President of the Board of Control, . . .	Earl of Buckinghamshire.
Lord Chancellor, . . .	Earl of Eldon.
First Lord of the Admiralty, . . .	Lord Melville.
Privy Seal, . . .	Earl of Westmoreland.
Ordinance, . . .	Lord Mulgrave.

"In a newspaper, of a date of five or six weeks later, we find the following:—"Mr. *Robert Peel* was introduced on Thursday last to the Prince Regent, as secretary of state to the lord lieutenant of Ireland."

On the 2nd of July, another aggregate meeting of the Catholics took place, to agree upon a petition to be presented in the ensuing session.

That some change had occurred in their prospects within the brief interval since their preceding meeting, will be evident from the extracts we are about to give from the newspaper reports.

Lord Fingal, on, as usual, taking the chair, congratulated the meeting on their case "being before parliament—under the favourable consideration of the legislature, and certain of being ultimately triumphant. . . . The bringing the Penal Code under notice was ensuring success to the Catholic cause; because it was impossible to consider its provisions without having the mind coerced to assent to its repeal. He did not rejoice at their improved prospects because of any peculiar benefit to himself; he did not rejoice at it as opening new hopes and expectations to the friends he saw about him, or to those who were now fighting the battles of England in Spain or Portugal; his gratification sprung from another source—from his anticipation of seeing the whole empire feel, in security and prosperity, the benefits of equal rights and undisturbed tranquillity."

His lordship was followed by Randal M'Donnell, who spoke nearly in the same strain; and strongly urged the necessity of continued and increased exertion on the part of the Catholics to back up the efforts of their friends in parliament.

He was followed by Mr. O'Connell, who is thus reported in the *Dublin Evening Post* of the 4th of July, 1812:—

"Mr. O'Connell commenced by paying some very appropriate compliments to the merits and exertions of the secretary to the Catholics of Ireland, Mr. Hay—a gentleman to whom we owed that tribute, as well from feelings of private friendship as from motives of public gratitude. Mr. Hay had devoted his life to the service of the Irish people, and refused to receive any other recompense

than what was to be found in the barren praises of his countrymen.

"After a panegyric on the public virtues of Mr. Hay, Mr. O'Connell proceeded. He said the Catholics were assembled at the most momentous period of their history. We have to contemplate a novel scene—the parliament of the United Kingdom, after nearly twelve years of neglect or rejection, had at length undertaken the consideration of our great cause. One branch of the legislature, by a triumphant majority, resolved to investigate the Penal Code of Ireland, with a view to its repeal; and, perhaps before this hour, a similar resolution has been adopted by the House of Lords.

"The voice of the House of Commons was, at all events, certain. In it the Irish people had a distinct pledge, that the question of their freedom was to be taken into consideration, for the purpose of final adjustment, at an early period of the next session. The House of Commons was unequivocally pledged to some measure of Emancipation. The effect of this vote might perhaps be diminished, when it was recollected that, during the present session, the same honourable house had, more than once, rejected all inquiry; but times were altered, and we have now arrived at what appears to be the first great step in the progress to complete religious liberty. The preliminary to Emancipation is over; and Emancipation itself, full and entire, is the natural, if not the necessary consequence.

"Feeling, as I do, the great advance that has been made in this national cause, I cannot avoid declaring that I am happy and proud to concur with your lordship in all those sentiments of conciliation and confidence which you have so powerfully recommended. I rejoice, my lord, at our victory—not as the conquest of one party over another, nor with the view to any triumph over any other denomination of my countrymen, but because I look upon it as a victory obtained by the combined activity of all classes of Irishmen over their own prejudices, and over intolerance and illiberality. It is that species of victory that ought to endear the Irish Protestant to the Irish Catholic, because it has been obtained for the benefit of the latter—principally by the exertions of the former. It is doubly dear, because it holds out the prospect of mutual conciliation and mutual affection.

"I, too, my lord, am ready to confide—I am ready with you to confide in the great and growing liberality of the British nation, in the pledge of the honourable house, in the promised vote of the lords, in the facility of the administration to abandon all former notions, and

to comply with the temper of the times. But let me conjure the meeting to place its first and principal reliance in the determined spirit and unalterable resolution to persevere until Emancipation shall be complete, never to relax their efforts until religious freedom is established.

"I may, without any allusion to its military import, which I dislike, remind my countrymen of the advice of Cromwell to his soldiers. The night was wet, and they, as usual, were engaged in prayer. 'Confide,' said he, 'in the Lord—put all your trust and confidence in the Lord—but *be quite sure to sleep upon your matchlocks.*' (Laughter and loud cheering.)

"Such, my lord, is the confidence we ought to entertain at present. In truth, every circumstance suggests caution—and he knows little of human nature who reposes with too implicit a belief upon the promises of any administration—and he has read history to little purpose who does not doubt of the fair professions of newly-converted enemies. It is for this that history is useful. Its lessons may be neglected, and the consequence will be just what we see in the great affairs of the nation—distress, embarrassment, and permanent difficulty, produced by the miserable repetition of temporary expedients. The history of the Irish Catholics warns us to be cautious how we shall proceed. Within the last twenty years there were no less than three different periods at which the Catholics might have been emancipated, if a combination of exertion had been used.

"Twenty years, however, have passed away, and we are still slaves. My days—the blossom of my youth and the flower of my manhood have been darkened by the dreariness of servitude. In this my native land—in the land of my sires—I am degraded without fault or crime, as an alien and an outcast. We do not, my lord, deserve this treatment. We are stamped by the Creator with no inferiority; and man is guilty of injustice when he deprives us of our just station in society. I despise him who can timidly and meanly acquiesce in the injustice. Oh, let us at length seize this opportunity of abolishing the oppression for ever.

"To avoid failure at present, let us see whether we can discover how the Catholics failed before. The first occasion upon which, within these last twenty years, the entire Emancipation might have been obtained, was in the year 1793. In that year great concessions were certainly made—great boons were extorted from an adverse and very unwilling government; but the principle of servitude, and many galling and insulting restrictions remained. And why were

they suffered to remain? Simply, because the Catholics were not sufficiently combined amongst themselves, and sufficiently determined.

“ I reproach none of the actors in the Catholic cause at that period ; many names dear to freedom were amongst their popular leaders—treachery there was, I am sure, none—deceit there was, I am convinced, none ; but leaving, as they did, so many weighty chains and oppressive restrictions, there certainly was a miserable failure of the one great object—the simple repeal of the acts restrictive of religious liberty. The Catholics, then, were supposed not to seek for the abolition of every penal law ; they were supposed to be ready to consent to something short of that great measure ; they were then, or had lately been, much divided amongst themselves, and the result was, that distraction in their counsels, and that dexterity in their enemies, which have ever since postponed the day of freedom.

“ The second occasion on which the Catholics might have been emancipated was the Union—but at that period, also, the Catholics were much divided amongst themselves—the reign of Robespierian terror still prevailed, and the voice of the Irish people was stifled. We thought and acted differently upon this melancholy subject, and, amidst the bitter anguish which the memory of my extinguished country excites, I have consolations both personal and public. First, because *the opposition to the Union was, (and I thank my God for it,) the first act of my political life* ; and, secondly, I feel some comfort that the Catholics did not barter the constitution of their native land for advantages to themselves. I blame no person for the failure of emancipation on that occasion ; on the contrary, I proudly rejoice that the Catholics, even those of them who supported that baleful and degrading measure, despised any idea of trafficking upon, or profiting by, the miseries of Ireland.

“ My lord, all the Catholics are free from the guilt of having participated in the sale of their country ; and this benefit results, that they are bound by no contract to continue their thralldom. *Nay, the existence of the penal code is soothed by the recollection, that in the efforts made to procure redress, a popular spirit is roused, which, if not soon laid by the voice of emancipation, may generate a determination to reanimate the fallen constitution !*

“ The third, and last period, at which the Catholics might have been emancipated, occurred since I had the honour to be an humble labourer in the Catholic cause ; it was the commencement of Mr. Fox's administration. The year preceding, Mr. Fox had most powerfully supported our claims in the House of Commons ; he sup-

ported them, not upon any narrow view of sect or party, but upon the great principle of universal toleration—on that principle, which, in our country, would repeal her test and corporations' act, and secure the uncontrolled freedom of religious worship and belief, in every climate, and to every cast and colour.

"I believe, my lord, you were present at the liberal and manly declarations made by Mr. Fox, at a meeting of our delegates, some days previous to the introduction of our first petition to the imperial parliament.—[Lord Fingal said he was not present at that meeting.] Well, my lord, Mr. Scully certainly was; we heard him say so no later than yesterday; and when I mention his name, I know I can use no authority more likely to obtain the full belief and confidence of the Irish people. (Loud cheers.) Mr. Scully was present as a delegate at those declarations, when Mr. Fox proclaimed the restrictive code as a crime—religious liberty as a right. 'I cannot,' said that enlightened man, 'I cannot consent to become your advocate, unless you are ready to concede, to all other sects, the toleration you require for yourselves.' 'We should be unworthy to obtain it, could we hesitate to accede to your terms; we would gladly bestow on all mankind what we ask for ourselves,' was the reply.

"Upon this avowed principle, in 1805, Mr. Fox supported the claims of the Catholics: in 1806, that very Mr. Fox became minister. What could have prevented that principle from being carried into action? The Catholics did not call for it; a mistaken confidence occasioned them to allow the only decisive moment to elapse; they did not press their claims. If I am asked the question, why? alas! I cannot tell. I was, myself, one of the actors of the national drama, and yet I am quite ignorant why it was that we did not then insist upon the recent pledge being redeemed. I can only account for it by drawing upon the unsuspecting credulity of the Irish heart. The administration declared itself friendly, and we believed; they made professions, and they obtained confidence; the noble generosity of the Irish disposition could not bear to doubt where it entertained affection; or, perhaps, the very novelty of the voice of kindness had its charms. The Irish had been so long used to obloquy and harshness, that they received as a boon, deserving of gratitude, the mere language of conciliation. The result was, that the favourable moment of compelling that administration either to emancipate or to resign was passed by, and our servitude continues to this hour.

"Let us profit by those lessons—from the errors of those periods; let our present conduct be free; our course is plain and simple. It

consists not in relaxing, but in redoubling our efforts—in pressing forward again as a people should do who deserve liberty. Let us enter into no collateral discussions, no dishonourable stipulations. Under the banner of ‘The Simple Repeal,’ Ireland has already once gloriously triumphed. It is a word of good omen. Perhaps she is fated again to progress in the cause of her freedom, under the same standard. ‘The Simple Repeal’ should be re-echoed from north to south, from east to west; and should we again fail, we shall, at least, have the consolation to know, that we deserved success, and that the failure cannot be attributed to us.

“But shall we fail? Think you are we to owe our freedom to Lord Castlereagh and to Lord Sidmouth? Let us, my lord, beware of raising too high the expectations of the country. In such a people as the Irish, the effects of disappointment may be terrific. They are too apt to believe that which they wish. They are too prone to rely; and when the hour of political treachery has come; when the promised ‘graces’ are withdrawn from light, the sudden violence of disappointed expectation is not likely to be controlled by the influence of reason. Already we have seen the effects of blasting the hopes of the Irish people. In the year 1794, Lord Fitzwilliam arrived in Ireland, with conciliation and Emancipation in his train; he proclaimed our freedom as at hand; the Irish parliament sung responsive; there was not a dissentient voice; unanimity prevailed in both houses; the Catholic Bill was actually brought in under the most favourable auspices; if it had passed, the Union was hopeless. Mr. Pitt, who prepared for that measure from a distance, saw the necessary consequence of abolishing religious dissensions in Ireland; the promised liberality was withdrawn; Lord Fitzwilliam was recalled; and, in the space of one short month, that very parliament which bid the Catholic arise to freedom, and the country to concord, declared, that dissensions should be perpetual, and slavery eternal.

“History relates the sequel. In a short time the land was deluged by native blood, and rebellion reared its horrid crest. My Lord Castlereagh interposed, and terminated the scene, according to the plot of the original projectors, by the Union. That same Castlereagh again governs. Is it safe, my lord, is it prudent, to exaggerate the people’s hopes, to give them anything like a certainty, which may meet nothing but disappointment? Let us spare our country from the horrid consequences of outraged feelings. This is the last resort of public liberty in Europe—the only country where the sword alone, the tyrant’s law, does not prevail. I, my

lord, for one, am determined not to survive the representative system of government in this country. Surely we ought not endanger it, by rousing those angry passions which must result from betrayed confidence. We should warn the people not to believe over much those who are hackneyed in duplicity and treachery.

“The opposition to Catholic Emancipation has assumed a new shape; bigotry and intolerance have been put to the blush, or covered with ridicule; every body laughs at Jack Giffard and Paddy Duignan; and their worthy compeer and colleague in England, Sir William Scott, does no longer venture to meet, with adverse front, the justice of our cause. He may, indeed, talk of setting our question at rest—he may declaim upon the moral inferiority of the Irish Catholics; but let him rest assured, that so long as his children—if he have any—so long as the swarthy race of his Scotts are placed, by law, on any superiority to the Irish Catholics, so long will it be impossible to put the question to rest. It never can—it never shall rest, save in unqualified, unconditional Emancipation. As to the moral inferiority, I shall not dispute the point with him, but I trust no Catholic judge will ever be found in this country with such an accommodating disposition as to decide the precise same question in two different ways, as we are told that learned gentleman has done, with the question of ‘paper blockades.’ Let him, I am sure I consent, direct his sapient opposition, in his present prudent course of retarding the discussion of the right and justice of our claims, by introducing other topics. The points of delay—the resting places are obvious; and when the present are exhausted, I rely on the malignity of our oppressors to invent new terms for this purpose.

“First, there was the Veto—that, indeed, was soon put down by the unanimous voice of the Catholic people, who, besides other reasons, really could not see, in the actual selection made by the Irish government of persons to fill the offices belonging of right to them, anything to tempt them to confer, on that government, the nomination of upwards of thirty other offices of emolument and honour. If hostility to the Irish people be a recognized recommendation to all other employments, is it likely that, in one alone, virtue and moral fitness should obtain the appointment? It was too gross and glaring a presumption in an administration, avowing its abhorrence for every thing Irish, to expect to be allowed to interfere with the religious discipline of the Irish Catholic Church.

“Driven from any chance of the Veto, our enemies next suggested ‘the arrangement,’ as it was called; but this half measure had but

few supporters. It was not sufficiently strong for the zealous intolerants; its advantages were not so obvious to the profligate; it was met by this plain reply—that we knew of no real inconvenience that could possibly arise from the present system of the government of our church; but if any existed, it were fitter to be treated of by the venerable prelates of that church, who understood the subject best, than by ministers who wished to turn every thing into an engine of state policy.

“‘The arrangement’ was then soon forgotten, and now, my lord, we have new terms stated—those are ‘sanctions and securities.’ We are now told we cannot be emancipated without ‘sanctions and securities.’ What are ‘sanctions?’ They are calculated, I presume, to do a great deal of mischief, because they are quite unintelligible. As to ‘securities,’ indeed I can understand that word; and I am quite ready to admit that *securities* are necessary; they are necessary against the effects upon a passive, but high-minded people—of continued insult and prolonged oppression. They are necessary, in a sinking state, against the domestic disturbances and organized disaffection which prevail in England—against the enormous and increasing power of the enemy—against dilapidated resources, expiring commerce, depreciated currency, and accumulating expenditure—against the folly, the incapacity, the want of character of the administration—against all those evils of which there is courage to speak—against that domestic insult, respecting which it is prudent to be silent—against all these, ‘securities’ are necessary, and they are easy to be found—they are to be found in conciliation and emancipation—their rectitude and justice. The brave, the generous, the enthusiastic people of Ireland are ready to place themselves in the breach that has been made in their country; they claim the post of honour, that is, the post of utmost danger; they are ready to *secure* the throne and the constitution, and all they require in return is, to be recognized as men and human beings in this their native land.

“Do not, then, I would say to any minister—do not presume to insult them, by attempting to treat them as maniacs, to be secured only by ropes and chains. Alas! their only insanity is their devotion to you. Tell them not that the more they are free the less will they be grateful; tell them not that the less you have to fear from their discontent, the more strictly will you bind them. Oppress them if you please, but hesitate before you deem it prudent thus to insult their first, their finest feelings.

“Having disposed of ‘Veto, arrangement, sanctions, and securities,’ there remains but one resource for intolerance; the classic Castlereagh has struck it out; it consists in—what do you think? Why, in ‘hitches.’ Yes, ‘hitches’ is the elegant word which is now destined to protract our degradation. It is in vain that our advocates have increased; in vain have our foes been converted; in vain has William Wellesley Pole become our warm admirer. Oh, how beautiful he must have looked advocating the Catholic cause! and his conversion, too, has been so satisfactory—he has accounted for it upon such philosophic principles. Yes, he has gravely informed us that he was all his life a man detesting committees; you might see by him that the name of a committee discomposed his nerves, and excited his most irritable feelings; at the sound of a committee he was roused to madness. Now, the Catholics had insisted upon acting by a committee, the naughty papists had used nothing but profane committees, and, of course, he proclaimed his hostility. But in proportion as he disliked committees, so did he love and approve of aggregate meetings—*respectable* aggregate meetings! Had there been a chamber at the Castle large enough for an aggregate meeting he would have given it. Who does not see that it is quite right to doat upon aggregate meetings and detest committees by law, logic, philosophy, and science of legislation? All recommend the one and condemn the other; and, at length, the Catholics have had the good sense to call their committee a board, to make their aggregate meetings more frequent. They, therefore, deserve Emancipation; and, with the blessing of God, he (Mr. Pole) would confer it on them! (laughter and cheers.)

“But, seriously, let us recollect that Wellesley Pole is the brother of one of our most excellent friends—of Marquis Wellesley, who had so gloriously exerted himself in our cause—who had manfully abandoned one administration because he could not procure our liberty, and rejected power under any other, unless formed on the basis of Emancipation; and who had, before this hour in which I speak, earned another unfading laurel, and the eternal affection of the Irish people, by his motion in the House of Lords. The eloquence and zeal and high character of that noble marquis seemed all that was wanting to ensure, at no remote period, our success. He knows little of the Irish heart who imagines that his disinterested services will ever be forgotten; no, they are graven on the soul of Irish gratitude, and will ever live in the memory of the finest people on the earth. Lord Castlereagh, too, has declared in our favour, with

the prudent reserve of 'the hitches;' he is our friend, and has been so these last twenty years—our *secret friend*—as he says so, upon his honour as a gentleman, we are bound to believe him. If it be a merit in the minister of a great nation to possess profound discretion, this merit Lord Castlereagh possesses in a supereminent degree. Why, he has preserved this secret with the utmost success. Who ever suspected that he had such a secret in his keeping? The whole tenor of his life, every action of his negatived the idea of his being our friend; he spoke against us—he voted against us—he wrote and he published against us; and it turns out now that he did all this merely to shew how well he could keep a secret. Oh, admirable contriver! oh, most successful placeman! most discreet and confidential of ministers!

"But what are his 'hitches'? They constitute another 'secret.' I think, however, I understand them. In the morning papers of this day, there appeared a call upon the Protestants of the county of Sligo to come forward in support of the establishment. It looks like the tocsin of intolerance; the name signed to it is John Irwin. Who this person is I know not, and I have not had time to inquire. If he be an Irish Protestant gentleman of independence, I respect, whilst I pity his errors and his prejudices; I would apply no other remedy to him but the voice of mild reasoning and argument, shaped by the spirit of conciliation. If he be an hireling of the administration, and that this is the first demonstration of the 'hitches,' I proclaim his miserable attempt to the contempt of the enlightened Protestants of Ireland—its fate is certain; the government may give it a wretched importance, but they never can afford it strength; they may give it 'sanction,' but they cannot procure 'security' for bigotry. The Protestants, Presbyterians, and the Quakers of Ireland, have too recently evinced the noble liberality of their sentiments—their sense of our wrongs, and their sympathy in the sufferings of their brethren, who are, in their turn, ready to die in their defence. The Irish Protestants of every denomination are too just and too wise to be duped into the yell of bigotry. The result of the attempt is certain. Even in 1792, when intolerance stood in formidable array, a similar effort to stem our cause only covered the projectors and actors with immortal ridicule. Mr. Byrne and Mr. Keogh proceeded then as we shall now proceed; and we have the advantage of being cheered by the great majority of those very Protestants whom the intolerants seek to dispose against us.

"I said I understood Castlereagh's 'hitches,' and I proclaim this

as one of them ; I know, too, we shall have new persecutions. Our legal persecutors, who hunt us with a keenness only increased by their disappointment, and rendered more rancorous by our prospect of success—good and godly men—are at this moment employed in projecting fresh scenes of prosecution. Every part of the press that has dared to be free will surely be punished, and public spirit and liberality will, in every case that can be reached by the arts of state persecution, expiate its offence in a prison. Believe me, my prophetic fears are not vain : I know the managers well, and place no confidence in their *holy seeming*. Again, England affords another opportunity of extending the ‘hitches,’ under the pretence of making laws to prevent rebellion there ; the administration will suspend the habeas corpus, for the purpose of crushing emancipation here ; and thus will illustrate the contrast between the very words which would require twelve simpletons to swear meant the same thing. The new laws occasioned by English rioters will pass harmless over their heads, and fall only upon you. It would be inconsistent if Castlereagh, the worthy successor of Clare and John Foster, used any other plan towards Ireland. The ‘hitches,’ the ‘hitches,’ plainly mean all that can be raised of venal outcry against us, and all that can be enacted of arbitrary law, to prevent our discussions.

“ Still, still we have resources—we have rich resources in those affectionate sentiments of toleration which our Irish Protestant brethren have proudly exhibited during the present year. The Irish Protestants will not abandon or neglect their own work ; it is they who have placed us on our present elevation—their support has rendered the common cause of our common country triumphant. Our oppressors, yielding an unwilling assent to the request of the Protestants of Ireland, may compensate themselves by abusing us in common ; they may style us agitators—Mr. Canning calls us *agitators with ulterior views*—but those Protestant agitators are the best friends to the security and peace of the country ; and to us, popish agitators—for I own it, my lord, I am an agitator, and we solemnly promise to continue so, until the period of unqualified emancipation—until ‘the simple repeal.’ As to us, agitators amongst the Catholics, we are become too much accustomed to calumny to be terrified at it ; but how have we deserved reproach and obloquy ? How have we merited calumny ? Of myself, my lord, I shall say nothing—I possess no talents for the office ; but no man shall prevent the assertion of my rigid honesty. I am, it is true, the lowliest of the agitators ; but there are, amongst them, men of the first rate

talents, and of ample fortunes—men of the most ancient families, and of hereditary worth—men of public spirit and of private virtue ; and, above all, men of persevering, undaunted, and unextinguishable love of their country—of their poor, degraded, insulted country—to that country, will I say of all the agitators, with the exception of my humble self—

“ ‘Boast, Erin, boast them tameless, frank, and free.’

“ Out of the hands of those agitators, however, the government is desirable to take the people, and the government is right. Out of the sphere of your influence, my lord, the people can never be taken, for reasons which, because you are present, I shall not mention, but which are recognised by the hearts of the Irish nation. (Loud cheering.) But out of our hands the people may easily be taken. They are bound to us only by the ties of mutual sufferings and mutual sympathies. We are the mere straws which are borne upon the torrent of public wrongs and public griefs. Restore their rights to the people—conciliate the Irish nation, which is ready to meet you more than half way, and the power of the agitators is gone in an instant. I do certainly feel the alarm expressed at the agitation of the question of Catholic rights as a high compliment ; it clearly points out the course we ought to pursue. Let us rouse the Irish people, from one extreme to the other of the island, in this constitutional cause. Let the Catholic combine with the Protestant, and the Protestant with the Catholic, and one generous exertion sets every angry feeling at rest, and banishes, for ever, dissension and division. The temptation to invasion will be taken away from the foreign enemy—the pretext and the means of internal commotion will be snatched from the domestic foe—our country, combined in one great phalanx, will defy every assault, and we shall have the happiness of obtaining real security, by that course of conciliation, which deserves the approbation of every sound judgment, and must insure the applause of every feeling heart—we shall confer an honour on ourselves, and insure the safety of our country.”

The hopes which the Catholics had conceived from the recent unexpected turn their affairs had taken in the House of Commons were checked, but not, however, seriously damped, by a vote of the House of Lords, refusing the following motion

of the Marquis of Wellesley (similar to that made by Mr. Canning in the lower House) :—

“That the House of Lords will, early in the next session of parliament, take into their most serious consideration the state of the laws affecting his Majesty's Roman Catholic subjects in Great Britain and Ireland, with a view to such a final and conciliatory adjustment as may be conducive to the peace and strength of the United Kingdom, to the Protestant Establishment, and to the general satisfaction and concord of all classes of his Majesty's subjects.”

• This defeat was actually considered the reverse of discouraging, as the bigôts had a majority of only one, the numbers having been 126 against 125, for the motion, a proportion which the favourers of the Catholics had never at all approached on any former occasion, in the upper House. Corresponding to these hopes were the fears of the opposite party. The Irish Orangemen, and their English abettors, saw that there was no time to be lost, to prop up again and strengthen the barriers of ascendancy, that now seemed about to give way. Accordingly, both in England and in Ireland, an active no-popery agitation was once more set a-going.

• In England the government newspapers, the *Morning Post* and the *Courier*, carried on the campaign actively, with articles against the Catholic claims and the Catholics themselves, as bitter and as truculent as even those in which the same *Morning Post*, and its present coadjutors, the *Morning Herald* and *Standard*, are wont to indulge against the Repeal agitation and the repealers.

• In Ireland the Orange lodges were encouraged with almost direct openness, and hallooed on by the government. The latter resolved themselves to have an active part in the crusade, and commenced proceedings by an ex-officio from the Irish Attorney General Saurin, against Mr. Fitzpatrick, printer and publisher of Mr. Scully's celebrated work, entitled “A Statement of the Penal Laws which aggrieve the Catholics of Ireland.”

• A renewed zeal on the part of the Orangemen was manifested (according to the *Freeman's Journal*) even by the manner in which they adorned the statue of King William the Third, in College-green, on the 12th of July, in this year. As these

classic decorations are going out of memory, we will give an account of them :—

• “ Yesterday the statue of King William was bedizened with an old rusty Orange mantle, and some second-hand dirty Orange ribbons. Surmounting his majesty’s laurelled brow, there appeared a faded Orange lily, and from the truncheon hand a bit of a stick protruded, from which there depended a tattered Orange flag.”

The custom of thus magnificently adorning the “ *Deliverer’s*” statue originated, about 1795, with a half crazed bookseller in Collegè-green, of the name of MacKenzie, who, from the zeal with which he paraded his wares on the statue, on the appointed days of faction-rejoicings, was nicknamed “ King William’s Milliner.” This absurdity, if a practice invented and carried on in the spirit of vulgar insult to the Catholics may be so simply designated, was annually renewed, until about the year 1815, when the cloak, flag, and ribbons disappeared. But it has been only within the last few years, that is, since the liberal corporation came into power, that the handsome marble carvings of the pedestal, and also portions of the figure of the rider and his horse, have ceased to be deformed with daubs of glaring orange and blue.

Every one is familiar with the feat of blackening the statue with tar and pitch, perpetrated the night before one of its anniversaries of decoration ; and the dismay and rage which the begrimed appearance of their idol occasioned among the Orangemen of high and low degree. Some ten years ago another trick was played off—the king being blown from his horse by the explosion of fulminating silver, as is supposed. The authors of this last attempt have never been traced ; but it is pretty confidently imputed to the lads of the College, anxious to make mischief and create a disturbance—a laudable design, in which they did not, however, succeed.

The indications of no-popery feeling which we have noticed, drew from the Catholic board the following resolution, to which they gave extensive circulation :—

“ Resolved—That the Catholic Board do meet upon the first and third Saturday of every month, until the first of November ; and that their secretary

do write circular letters to all the members, announcing *their serious apprehensions that a religious persecution is about to commence in Ireland, apparently sanctioned by the administration*; and inculcating the necessity of frequent deliberations, and constant activity on the part of the Catholic body, in obviating the approaching calamity, and in the firm assertion of their rights, at this fearful and important crisis."

The propriety of passing such a resolution was much questioned at the time by those who had installed themselves as "patrons," as it were, of the Catholics. The usual cant was talked about it as being "too strong," "very injudicious," &c.; but there is no doubt that circumstances fully bore out its averments, and not only entirely justified it, but even rendered it necessary, as a means of awakening to their danger, the threatened objects of this new persecution.

The anticipated danger was not only from the chances of open, undisguised persecution, but from the design, now again revived, and confidently spoken of as about to be pushed by the minister, of bringing forward some measure of state-interference with Catholic ecclesiastical matters, either by the notorious "Veto" proposition, or some other equally to be deprecated and resisted.

A stout response to the alarm-cry from Dublin was promptly returned from various parts of the country, but especially from Limerick. On Friday, the 24th of July in this year (1812), a large meeting of the Catholics of the city and county was held for the purpose, at the Commercial Buildings, George's-street, Limerick, at which Mr. O'Connell, then upon circuit, attended, and made the speech we are about to give. T. R. Ryan, of Scarteen, Esq., was in the chair, and the meeting was opened with a speech from Mr. William Roche, the same gentleman who represented the city of Limerick, on Repeal principles, from the passing of the Reform Bill, until 1841. After expressing general concurrence with the proceedings of the Catholic Board in Dublin, confident hopes of the success of the cause, in the next session of parliament—gratitude to its friends in that body—and aversion to the idea of what were called "securities," being given in return for Catholic emancipation, he read the resolutions that had been prepared, and moved their adoption. We give the chief among them:—

"3. Resolved—That however injurious the policy which laboured to sever the Prince from the people, the recent declarations in parliament revive our

long-cherished hopes, that that illustrious personage will adhere to those principles, which, by establishing the harmony and happiness of the subject, would best ensure the stability of the throne, and the prosperity of the empire.

“4. That, at a time when continental Europe is yielding her last sigh, and all the rivulets of rational liberty are nearly lost in the flood of universal domination; and when these countries, the last refuge of European freedom, are threatened with no less than total annihilation, we consider the continuance of political disabilities as tending to paralyze the energies of the state, and to further the views of our implacable enemy.

“And we, therefore, consider, that it would be a criminal apathy in us, at this perilous crisis, to cease our earnest application to the legislature, to embrace, within the protection of equal laws, all and every description of his majesty's subjects.

“5. That having, with regret, observed a design to mar the progress of our just claims, by propositions intended solely to raise alarms against us, we feel called upon to declare to the empire and to the world—

“*That we will enter into no compromise for our rights, incompatible with the integrity of our religion.*

“That the best security we can give, is our attachment to the constitution, which we are solemnly and irrevocably sworn to defend—our proved invariable fidelity to the laws, guaranteed by our properties, our lives, and the very principles of the religion we profess.”

These, with other resolutions, were seconded by Mr. A. F. O'Neill, and passed unanimously.

“Counsellor O'Connell then rose, (adds the *Limerick Evening Post*, whose report we quote,) and delivered a speech, the most brilliant and argumentative we have ever heard. This accomplished and powerful orator continued, for upwards of an hour, to address the assembly as follows, and was cheered almost at the close of every sentence, with loud and rapturous applause:—

* “I feel it my duty, as a professed agitator, to address the meeting. It is merely in the exercise of my office of agitation, that I think it necessary to say a few words. For any purpose of illustration or argument, further discourse is useless: all the topics which the present period suggested, have been treated of with sound judgment, and a rare felicity of diction, by my respected and talented friend (Mr. Roche), all I shall do is, to add a few observations to what has fallen from that gentleman; and whilst I sincerely admire the happy style in which he has treated those subjects, I feel deep regret at being unable to imitate his excellent discourse.

“And, first, let me concur with him in congratulating the Catholics of Limerick on the progress our great cause has made since we were last assembled. Since that period our cause has not rested for support on the efforts of those alone who were immediately interested;

no, our Protestant brethren throughout the land have added their zealous exertions for our emancipation. They have, with admirable patriotism, evinced their desire to conciliate by serving us, and I am sure I do but justice to the Catholics, when I proclaim our gratitude, as written on our hearts, and to be extinguished only with our lives. (Hear, hear.)

“Nor has the support and the zeal of our Protestant brethren been vain and barren. No, it has been productive of great and solid advantages; it has procured, for the cause of religious liberty, the respect even of the most bigoted of our opponents; it has struck down English prejudice; it has convinced the mistaken honest; it has terrified the hypocritical knaves; and, finally, it has pronounced for us, by a great and triumphant majority, from one of the branches of the legislature, the distinct recognition of the propriety and the necessity of conceding justice to the great body of the Irish people. (Hear, hear, hear.)

“Let us, therefore, rejoice in our mutual success; let us rejoice in the near approach of freedom; let us rejoice in the prospect of soon shaking off our chains, and of the speedy extinction of our grievances. But above all, let us rejoice at the means by which these happy effects have been produced; let us doubly rejoice, because they afford no triumph to any part of the Irish nation over the other—that they are not the result of any contention amongst ourselves; but constitute a victory, obtained for the Catholics by the Protestants—that they prove the liberality of the one, and require the eternal gratitude of the other—that they prove and promise the eternal dissolution of ancient animosities and domestic feuds, and afford to every Christian and to every patriot, the cheering certainty of seeing peace, harmony, and benevolence prevail in that country, where a wicked and perverted policy has so long and so fatally propagated and encouraged dissension, discord, and rancour. (Loud cheering.)

“We owe it to the liberality of the Irish Protestants—to the zeal of the Irish Presbyterians—to the friendly exertion of the Irish Quakers; we owe, to the cordial re-union of every sect and denomination of Irish Christians, the progress of our cause. They have procured for us the solemn and distinct promise and pledge of the House of Commons—they almost obtained for us a similar declaration from the House of Lords. It was lost by the petty majority of one—it was lost by a majority, not of those who listened to the absurd prosings of Lord Eldon, to the bigoted and turbid declamation of that English Chief Justice, whose sentiments so forcibly recall the memory

of the star-chamber; not of those who were able to compare the vapid or violent folly of the one party, with the statesman-like sentiments, the profound arguments, the splendid eloquence of the Marquis Wellesley. (Hear, hear.) Not of those who heard the reasonings of our other illustrious advocates; but by a majority of men who acted upon preconceived opinions, or, from a distance, carried into effect their bigotry, or, perhaps, worse propensities—who availed themselves of that absurd privilege of the peerage, which enables those to decide who have not heard—which permits men to pronounce upon subjects they have not discussed—and allows a final determination to precede argument. (Hear.)

“It was not, however, to this privilege alone, that our want of success was to be attributed. The very principle upon which the present administration has been formed, was brought into immediate action, and with success; for, in the latter periods of the present reign, every administration has had a distinct principle upon which it was formed, and which serves the historian to explain all its movements. Thus, the principle of the Pitt administration was—to *deprive the people of all share in the government, and to vest all power and authority in the crown.* In short, Pitt’s views amounted to unqualified despotism. This great object he steadily pursued through his ill-starred career. It is true he encouraged commerce, but it was for the purposes of taxation; and he used taxation for the purposes of corruption; he assisted the merchants, as long as he could, to grow rich, and they lauded him; he bought the people with their own money, and they praised him. Each succeeding day produced some new inroad on the constitution; and the alarm which he excited, by reason of the bloody workings of the French revolution, enabled him to rule the land with uncontrolled sway; he had bequeathed to his successor the accumulated power of the crown—a power which must be great, if it can sustain the nonentities of the present administration. (Loud and continued cheering.)

“The principle of Pitt’s administration was despotism—the principle of Perceval’s administration was peculating bigotry—bigoted speculation! In the name of the Lord he plundered the people. (A laugh.) Pious and enlightened statesman! he would take their money only for the good of their souls. (Bursts of laughter.)

“The principle of the present administration is still more obvious. It has unequivocally disclosed itself in all its movements—it is simple and single—it consists in *falsehood*. Falsehood is the bond and link that connects this ministry in office. Some of them pretend to be our

friends—you know it is not true—they are only our worse enemies for the hypocrisy. They declare that the Catholic question is no longer opposed by the cabinet—that it is left to the discretion of each individual retainer. The fact is otherwise—and their retainers, though not *commanded*, as formerly, are carefully advised to vote against us. (Hear, hear.)

“The minister, Lord Castlereagh, is reported to have said in the House of Commons, that in the years 1797. and 1798, there was no torture in Ireland, to the knowledge of government! Is it really possible that such an assertion was used? You hear of it with astonishment. All Ireland must shudder, that any man could be found thus to assert. Good God! of what materials must that man be made who could say so? I restrain my indignation—I withhold all expressions of surprise—the simple statement that such an assertion was used, exceeds, in reply, the strongest language of reprobation. But there is no man so stupid as not to recognise the principle which I have so justly attributed to this administration.

“What! No torture! Great God! No torture! Within the walls of your city was there no torture? Could not Colonel Vereker have informed Lord Castlereagh, that the lash resounded in the streets even of Limerick, and that the human groan assailed the wearied ear of humanity? Yet, I am ready to give the gallant colonel every credit he deserves; and, therefore, I recall to your grateful recollection the day when he risked his life to punish one of the instruments of torture. (Hear, hear.) Colonel Vereker can tell whether it be not true, that in the streets of your city, the servant of his relation, Mrs. Rosslewen, was not tortured—whether he was not tortured first, for the crime of having expressed a single sentiment of compassion, and next because Colonel Vereker interfered for him. (Hear, hear.)

“But there is an additional fact, which is not so generally known, which, perhaps, Colonel Vereker himself does not know, and which I have learned from a highly respectable clergyman, that this sad victim of the system of torture, which Lord Castlereagh denied, was, at the time he was scourged, in an infirm state of health—that the flogging inflicted on him deprived him of all understanding, and that within a few months he died insane, and without having recovered a shadow of reason. (Hear.)

“But why, out of the myriads of victims, do I select a solitary instance? Because he was a native of your city, and his only offence an expression of compassion. I might tell you, did you not

already know it, that in Dublin there were, for weeks, three permanent triangles, constantly supplied with the victims of a promiscuous choice made by the army, the yeomanry, the police constables, and the Orangé lodges; that the shrieks of the tortured must have literally resounded in the state apartments of the Castle; and that along by the gate of the Castle yard, a human being, naked, tarred, feathered, with one ear cut off, and the blood streaming from his lacerated back, has been hunted by a troop of barbarians!

“Why do I disgust you with these horrible recollections? You want not the proof of the principle of delusion on which the present administration exists. In your own affairs you have abundant evidence of it. The fact is, that the proxies in the Lords would never have produced a majority even of one against Lord Wellesley’s motion, but for the exertion of the vital principle of the administration. The ministry got the majority of one. The pious Lord Eldon, with all his conscience and his calculations, and that immaculate distributor of criminal justice, Lord Ellenborough, were in a majority of one. By what holy means think you? Why, by the aid of that which cannot be described in dignified language—by the aid of A LIE—a false, positive, palpable LIE!

“This manœuvre was resorted to—a scheme worthy of its authors—they had perceived the effects of the manly and dignified resolutions of the 18th of June. These resolutions had actually terrified our enemies, whilst they cheered those noble and illustrious friends who had preferred the wishes and wants of the people of Ireland to the gratification of paltry and disgraceful minions. The manœuvre—the scheme, was calculated to get rid of the effect of those resolutions, nay, to turn their force against us, and thus was the pious fraud effected. (Hear.)

“There is, you have heard, a newspaper, in the permanent pay of speculation and corruption, printed in London, under the name of the *Courier*, a paper worthy the meridian of Constantinople, at its highest tide of despotism. This paper was directed to assert the receipt of a letter from Dublin, from excellent authority, declaring, I know not how many peers, sons of peers, and baronets had retracted the resolutions of the 18th of June; that those resolutions were carried by surprise, and that they had been actually rescinded at a subsequent meeting.

“Never did human baseness invent a more gross untruth; never did a more unfounded lie fall from the father of falsehood; never did human turpitude submit to become the vehicle of so ‘glaring’

a dereliction of truth. But the *Courier* received its pay, and it was ready to earn the wages of its prostitution. It did so—it published the foul falsehoods, with the full knowledge of their falsehood; it published them in two editions, the day before and the day of the debate—at a period when inquiry was useless—when a contradiction from authority could not arrive; at that moment this base trick was played, through the intervention of that newspaper, upon the British public!

“Will that public go too far, when they charge this impure stratagem on those whose purposes it served? Why, even in this country, the administration deems it necessary to give, for the support of one miserable paper, two places—one of five, and the other of eight hundred a year—the stamp duty remitted—the proclamations paid for as advertisements—and a permanent bonus of one thousand pounds per annum! If the bribe here be so high, what must it be in England, where the toil is so much greater? And, think you, then, that the *Courier* published, unsanctioned by its paymasters, this useful lie?

“I come now to the next stage in the system of delusion; it is that which my friend, Mr. O’Neil, has noticed. He has powerfully exposed to you the absurdity of crediting the ministerial newspapers, when they informed you that the member for Limerick had stated in the House of Commons, that the commercial interests of Limerick were opposed to the Catholic claims. Sir, for my part, I entirely agree with Mr. O’Neil; I am sure Colonel Vereker said no such thing; he is a brave man, and, therefore, a man of truth; he is probably a pleasant friend, and he has those manly traits about him, which make it not unpleasant to oppose him as an enemy; I like the candour of his character, and our opposition to him should assume the same frankness, and openness, and perfect determination. He well knows that a great part of the commercial interests of Limerick is in the hands of the Catholics—that the Quakers of Limerick, who possess almost the residue of the trade, are friendly to us, and that, with the exception of the ‘tag, rag and bob-tail’ of the corporation—(loud laughter) there is not to be found amongst the men who ought to be his constituents, a single exception to liberality. (Repeated applause.)

“There remains another delusion; it is the darling deception of this ministry—that which has reconciled the toleration of Lord Castlereagh with the intolerance of Lord Liverpool; it is that which has sanctified the connection between both, and the place-procuring, prayer-mumbling Wilberforce; it consists in *sanctions* and *securities*.

The Catholics may be emancipated, say ministers in public, but they must give *securities*; by securities, say the same ministers in private, to their supporting bigots, we mean nothing definite, but something that shall certainly be inconsistent with the popish religion—nothing shall be a security which they can possibly concede—and we shall deceive them and secure you, whilst we carry the air of liberality and toleration. (Hear.)

“And can there be any honest man deceived by the cant and cry for securities?—is there any man that believes that there is safety in oppression, contumely, and insult, and that security is necessary against protection, liberality, and conciliation?—does any man really suppose, that there is no danger from the continuance of unjust grievance and exasperating intolerance; and that security is wanting against the effects of justice and perfect toleration? Who is it that is idiot enough to believe, that he is quite safe in dissension, disunion, and animosity, and wants a protection against harmony, benevolence, and charity?—that in hatred there is safety—in affection, ruin?—that now, that we are excluded from the constitution, we may be loyal—but that if we were entrusted, personally, in its safety, we shall wish to destroy it? (Hear, hear.)

“But this is a pitiful delusion: there was, indeed, a time, when ‘sanctions and securities’ might have been deemed necessary—when the Catholic was treated as an enemy to man and to God—when his property was the prey of legalized plunder—his religion, and its sacred ministers, the object of legalized persecution!—when, in defiance and contempt of the dictates of justice, and the faith of treaties—and I attest the venerable city, in which I stand, that solemn treaties were basely violated—the *English faction in the land turned the Protestant into an intolerant and murderous bigot, in order that it might, in security, plunder that very Protestant, and oppress his and our common country!* Poor neglected Ireland! At that period, securities might be supposed wanting; the people of Ireland—the Catholic population of Ireland were then as brave and as strong, comparatively, as they are at present; and the country then afforded advantages for the desultory warfare of a valiant peasantry, which, fortunately, have since been exploded by increasing cultivation.

“At the period to which I allude, the Stuart family was still in existence; they possessed a strong claim to the exaggerating allegiance and unbending fidelity of the Irish people. Every right that hereditary descent could give the royal race of Stuart, they possessed—in private life, too, they were endeared to the Irish, because they

were, even the worst of them, gentlemen. But they had still stronger claims on the sympathy and generosity of the Irish: they had been exalted, and were fallen—they had possessed thrones and kingdoms, and were then in poverty and humiliation. All the enthusiastic sympathies of the Irish heart were roused for them—and all the powerful motives of personal interest bore, in the same channel, the restoration of their rights—the triumph of their religion, the restitution of their ancient inheritances, would then have been the certain and immediate consequences of the success of the Stuart family, in their pretensions to the throne.

“At the period to which I allude, the Catholic clergy* were bound by no oath of allegiance; to be a dignitary of the Catholic church in Ireland, was a transportable felony—and the oath of allegiance was so intermingled with religious tenets, that no clergyman or layman of the Catholic persuasion could possibly take it. At that period, the Catholic clergy were all educated in foreign countries, under the eye of the pope, and within the inspection of the house of Stuart. From fifty-eight colleges and convents, on the Continent, did the Catholic clergy repair to meet, for the sake of their God, poverty, persecution, contumely, and, not unfrequently, death, in their native land. (Hear, hear.) They were often hunted like wild beasts, and never could claim any protection from the law! (Hear, hear.) That—that was a period, when securities might well have been necessary—when sanctions and securities might well have been requisite.

“But what was the fact?—what was the truth which history vouches? Why, that the clergy and laity of the Irish Catholics, having once submitted to the new government—having once plighted their ever unbroken faith to King William and his successors—having once submitted to that great constitutional principle, that in extreme cases the will of the people is the sole law—that in extreme cases the people have the clear and undoubted right to cashier a tyrant, and provide a substitute on the throne—the Irish Catholics, having fought for their legitimate sovereign, until he, himself, and not they, fled from the strife—adopted, by treaty, his English successor, though not his heir—transferred to that successor, and the inheritors of his throne, their allegiance. They have preserved their covenant—with all the temptations and powerful motives to disaffection, they fulfilled their part of the social contract, even in despite of its violation by the other party. (Loud and continued applause.)

“How do I prove the continued loyalty of the Catholics of Ireland under every persecution? I do not appeal for any proofs to their

own records, however genuine.—I appeal merely to the testimony of their rulers and their enemies—(hear, hear)—I appeal to the letters of Primate Boulter—to the state-papers of the humane and patriotic Chesterfield. I have their loyalty through “the admissions of every secretary and governor of Ireland, until it is finally and conclusively put on record by the legislature of Ireland itself. The relaxing statutes expressly declare, that the penal laws ought to be repealed—not from motives of policy or growing liberality, but (I quote the words,) ‘because of the long-continued and uninterrupted loyalty of the Catholics.’ This is the consummation of my proof—and I defy the veriest “disciple of the doctrine of delusion to overturn it. (Applause.)

“But as the Catholics were faithful in those dismal and persecuting periods—when they were exasperated by the emaciating cruelty of barbarous law and wretched policy—as they were then faithful, notwithstanding every temporal and every religious temptation and excitement to the contrary, is it in human credulity to believe my Lord Castlereagh, when he asserts that *securities* are *now* necessary? Now, that the ill-fated house of Stuart is extinct—and had it not been extinct I should have been silent as to what their claims were—*now*, that the will of the people, and the right of hereditary succession are not to be separated—*now*, that the Catholic clergy are educated in Ireland, and are all bound by their oaths of allegiance to that throne and constitution, which, in the room of persecution, gives them protection and security—*now*, that all claims upon forfeited property are totally extinguished in the impenetrable night of obscurity and oblivion—*now*, that the Catholic nobility and gentry are in the enjoyment of many privileges and franchises, and that the full participation of the constitution opens upon us in close and cheering prospect—shall we be told that securities are now expedient, though they were heretofore unnecessary? Oh! it is a base and dastardly insult upon our understandings and on our principles, and one which each of us would, in private life, resent—as in public we proclaim it to the contempt and execration of the universe. (Great applause.)

“Long as I have trespassed on you, I cannot yet close: I have a word to address to you upon your own conduct. The representative for your city, Colonel Vereker, has openly opposed your liberties—he has opposed even the consideration of your claims. You are beings, to be sure, with human countenances, and the limbs of men—but you are not men—the iron has entered into your souls, and branded the name of slave upon them, if you submit so be thus trampled on! His

opposition to you is decided—meet him with a similar, and, if possible, a superior hostility. You deserve not freedom—you, citizens of Limerick, with the monuments of the valour of your ancestors around you—you are less than men, if my feeble tongue be requisite to rouse you into activity. (Applause.) Your city is, at present, nearly a close borough—do but will it, and you make it free! (Continued applause.)

“I know legal obstacles have been thrown in your way—I know that, for months past, the Recorder has sat alone at the sessions—that he has not only tried cases, in the absence of any other magistrate, which he is authorised by law to do, but that he has solely opened and adjourned the sessions, which, in my opinion, he is clearly unwarranted in doing; he has, by this means, I know, delayed the registry of your freeholds, because two magistrates are necessary for that purpose: I have, however, the satisfaction to tell you, that the Court of King's Bench will, in the next term, have to determine on the legality of his conduct, and of that of the other charter magistrates, who have banished themselves, I understand, from the Sessions' Court, since the registry has been spoken of! They shall be served with the regular notices; and, depend upon it, this scheme cannot long retard you. (Great applause.)

“I speak to you on this subject as a lawyer—you can best judge in what estimation my opinion is amongst you—but such as it is, I pledge it to you, that you can easily obviate the present obstacles to the registry of your freeholds. I can also assure you that the constitution of your city is perfectly free—that the sons of freemen, and all those who have served an apprenticeship to a freeman, are all entitled to their freedom, and to vote for the representation of your city. (Hear, hear, hear.)

“I can tell you more: that if you bring your candidate to a poll, your adversary will, be deprived of any aid from non-resident or occasional freemen; we will strike off his list the freemen from Gort and from Galway, the freemen from the band, and many from the battalion of the city of Limerick militia. (Loud cries of ‘hear, hear.’)

“In short, the opening of the borough is a matter of little difficulty. If you will but form a committee, and collect funds, in your opulent city, you will soon have a representative ready to obey your voice—you cannot want a candidate. If the emancipation bill passes next sessions, as it is so likely to do, and that no other candidate offers, I myself will bring your present number to the poll. (Loud applause.) I, probably, will have little chance of success—but I will have the

satisfaction of showing this city and the county, what the freeborn mind might achieve if it were properly seconded. (Here the eloquent and patriotic speaker was interrupted for some minutes, by thundering applause.)

“I conclude by conjuring you to exert yourselves; waste not your just resentments in idle applause at the prospect I open to you; let not the feeling of the moment be calumniated as a hasty ebullition of anger; let it not be transitory, as our resentments generally are, but let us remember ourselves, our children, and our country! (Hear, hear, hear.)

“Let me not, however, close, without obviating any calumny that may be flung upon my motives. I can easily pledge myself to you that they are disinterested and pure—I trust they are more. My object in the attainment of emancipation is in nothing personal, save in the feelings which parental love inspires and gratifies. I am, I trust, actuated by that sense of Christianity which teaches us that the first duty of our religion is benevolence and universal charity; I am, I know, actuated by the determination to rescue our common country from the weakness, the insecurity, which dissension and religious animosity produce and tend to perpetuate; I wish to see the strength of the island—this unconquered, this unconquerable island—combined to resist the mighty foe of freedom, the extinguisher of civil liberty, who rules the Continent from Petersburg to the verge of the Irish bayonets in Spain. (Loud and repeated applause.) It is his interest, it is a species of duty he owes to his family—to that powerful house, which he has established on the ruins of the thrones and dominations of Europe—to extinguish, for ever, representative and popular government in these countries; he has the same direct intent which the Roman general had to invade our beloved country—‘*Ut libertas veluti et conspectu.*’ His power can be resisted only by combining your physical force with your enthusiastic and undaunted hearts. (Hear, hear.)

“There is liberty amongst you still. I could not talk as I do, of the Liverpools and Castlereaghs, of his court, even if he had the folly to employ such things—I wish he had; you have the protection of many a salutary law—of that palladium of personal liberty—the trial by jury. I wish to ensure your liberties, to measure your interests on the present order of the state, that we may protect the very men that oppress us. (Loud applause.)

“Yes, if Ireland be fairly roused to the battle of the country and of freedom, all is safe. Britain has been often conquered: the

Romans conquered her—the Saxons conquered her—the Normans conquered her—in short, whenever she was invaded, she was conquered. But our country was never subdued; we never lost our liberties in battle, nor did we ever submit to armed conquerors. It is true, the old inhabitants lost their country in piece-meal, by fraud and treachery; they relied upon the faith of men, who never, never observed a treaty with them, until a new and mixed race has sprung up, in dissension and discord; but the Irish heart and soul still predominate and pervade the sons of the oppressors themselves. The generosity, the native bravery, the innate fidelity, the enthusiastic love of whatever is great and noble—those splendid characteristics of the Irish mind remain as the imperishable relics of our country's former greatness—of that illustrious period, when she was the light and the glory of barbarous Europe—when the nations around sought for instruction and example in her numerous seminaries—and when the civilization and religion of all Europe were preserved in her alone. (Continued cheering.)

“You will, my friends, defend her—you may die, but you cannot yield to any foreign invader. (Hear, hear.) Whatever be my fate, I shall be happy, whilst I live, in reviving amongst you the love and admiration of your native land, and in calling upon Irishmen—no matter how they may worship their common God—to sacrifice every contemptible prejudice on the altar of their common country. (Great applause.) For myself, I shall conclude, by expressing the sentiment that throbs in my heart—I shall express it in the language of a young bard of Erin,* and my beloved friend, whose delightful muse has the sound of the ancient minstrelsy—

“Still shalt thou be my midnight dream—
Thy glory still my waking theme;
And ev'ry thought and wish of mine,
Unconquer'd Erin, shall be thine!”

This speech procured him from the meeting the following compliment:

“Resolved—That our sincere thanks are hereby returned to Daniel O'Connell, barrister-at-law, for his luminous and patriotic speech this day; as well as for his manly and distinguished exertions at all times, in the cause of his country.”

The legal opinions delivered by Mr. O'Connell in this speech

* Charles Phillips, Esq., author of the poem entitled “The Emerald Isle,” then at the Irish, subsequently for many years at the English bar, and now one of the District Commissioners of Bankruptcy in England.

were ALL verified in the courts of law. The city of Limerick, from being a nomination borough, was, by means of legal decisions, thrown open to the popular control, as Mr. O'Connell had pointed out. The expense was enormous; but it was cheerfully borne by the patriotic citizens.* The populous triumph was complete, and Mr. O'Connell had the delightful satisfaction to have roused the sleeper, and presided over the victory.

Various other Catholic meetings were held in counties and towns of Ireland during the summer and autumn of 1812, at which resolutions to the same general effect as those we have recorded of the Limerick meeting, were unanimously adopted. If in these and other demonstrations of popular opinion in Ireland one sentiment more than another was peculiarly marked, it was that of determined hostility to the proposition of giving in exchange for Emancipation any of what were insultingly termed "securities," especially and particularly that of which we shall have soon to treat fully, the "veto" proposition.

Mr. O'Connell was enabled to attend the Cork "city and county" meeting, held on Friday, 21st August, at the North Parish Chapel, William Coppinger, jun., Esq., of Barry's Court, in the chair; but the Cork paper (the *Intelligencer*), which contained the proceedings, states that it was unable to report with *precision* his speech, and so passed it over entirely, with a few complimentary sentences.

† In the list of resolutions here passed we find the following :

"15th. Resolved—That our cordial thanks are hereby offered to our patriotic fellow-Catholic Counsellor O'Connell, as the tribute of our admiration and applause, for his unceasing and energetic exertions in the common cause; and for his able and eloquent speech delivered here this day."

It will thus be seen that the period of the parliamentary recess in the year 1812, was by no means a season of repose and quiet, either to the Catholics or their opponents. The events of the session just gone by had startled and effectually aroused both parties. At a moment when a ministry, generally known to be adverse to all concession, had, after the double shock of the loss

* The father of the present Mayor of Limerick, Mr. Edmund Ryan, subscribed £500; and another young gentleman, a Mr. Patrick Creagh, a similar sum. The Verekers were thrown out; but, alas! the people, in the excess of their enthusiasm, put Spring Rice in his place. What a practical blunder.

of their head and a vote of want of confidence carried against them in the lower house, been suddenly re-seated in office, with renewed power, and, as it was natural to suppose, unabated inveteracy, Catholic and anti-Catholic in Ireland had beheld, with equal astonishment, a motion favourable to the former, carried by a large majority in the commons, and only lost in the lords by a majority of one—a defeat in name, but virtually a triumph.

The probabilities were on the side of an actual and entire success in the next session. The grand object, therefore, with the one party, was to advance this consummation during the recess by all the means in their power; and, of course, with the other party, to strengthen the old obstructions, and endeavour to create others anew.

The party of the bigots had, however, a fearful advantage in means, and were not deterred from using them by any scrupulosity. We have already alluded to the efforts at reviving the “no Popery” cry. But, successful as these were with the strongly-prejudiced public mind of England, it was determined not to trust to the mere chance of their influence reacting upon the parliament. The latter was *doomed*—doomed, because of its one act of liberality—no consideration given to its many acts of an opposite nature, not even to the surprising celerity with which it had retracted and cancelled the vote of want of confidence before-mentioned.

• Accordingly, early in the month of October, 1812, the usual proclamation appeared of the dissolution of parliament, and writs were immediately issued for a general election.

The struggle was now transferred to the hustings; and that it was one of no very gentle or moderate character may well be supposed. The government and its agents and supporters stopped at nothing to secure the return of men opposed to concession, and their efforts were very generally successful.

Before coming to an occasion when Mr. O'Connell expressed his sentiments upon the results of the general election, there is an incident of his legal avocations to be noted.

On Monday, the 19th of October, he and Mr. Finlay appeared as counsel for the prosecutors in the matter of some charges made by a large number of citizens of Dublin against the city

police-magistrates, and investigated into by Mr. Sergeant (the late judge) Moore and Mr. Disney, who were appointed by government for that purpose. There was a very crowded attendance to hear the case, being one of considerable interest to the inhabitants of Dublin at large; but, to the astonishment of all present, the commissioners announced that they had determined *not to permit the interference of council.*

"It was their impression," said Mr. Sergeant Moore, who made this announcement, "that it was much better to dispense with the assistance of counsel, and to investigate the charges by an examination of witnesses unperverted by colouring or exaggeration of any description. It was even a matter of question to them whether there was not an irregularity in the interference of gentlemen of the bar, when the nature and constitution of the committee were taken into consideration."

"Counsellor O'Connell observed, that he had no doubt either upon any of the points either of the *regularity* of the interference of counsel, their entire *right* to assist in the present investigation, or the actual and absolute *necessity* of their assistance.

"He said that, as a member of the Irish bar, he was fully entitled and empowered to appear before any tribunal whatsoever, on behalf of his majesty's subjects, in any instance wherein their lives, liberties, or properties were concerned; and if there was not, as there ought not to be, any question as to *his* title and his right to appear upon that or any other legal occasion, there could, of course, be as little as to the right and title, as well as certainly to the expediency and utility of his learned friend's appearance and assistance.

"The fact was, there were the most heinous charges pending against individuals holding high and very important situations; the interests of the community were concerned; the lives and properties of the inhabitants of Dublin were deeply interested; nothing, therefore, ought to be left undone to satisfy the public mind, to make the investigation searching and complete. The whole matter should be sifted to the bottom, and every effort made to arrive at the truth; and for these purposes the attendance and assistance of counsel were imperatively required.

"In truth, he considered it little better than a libel upon the bar, to say that its attendance was unnecessary. Surely, if the parties accused were innocent of the heavy charges brought against them, the exertions of a barrister could do them no possible injury. If

they were really innocent, as it was asserted, they could not have anything to dread; but if they were guilty, the exertions of an honest and zealous barrister were peculiarly needed to point out the extent of their delinquency, to leave no branch of their crimes unexplored, to allow no one particular of their misdemeanours to remain unrevealed to the world.

“Besides, it was to be recollected, that those parties themselves enjoyed the advantage of legal aid. There were no less than six of the accused who were themselves capable of performing the duty he had undertaken; and the rest of them possessed the advantage of an acquaintance with the rules of evidence and of an experience and practised dexterity, highly available to them in the conduct of their defence. It would be, therefore, absurd to pretend that they could at all be considered in the light of ordinary persons unskilled in legal proceedings and unfamiliar with them.

“And when they were in possession of such advantages, was it not a palpable injustice to attempt to deprive his clients of what would no more than place them upon an equality? It was an absolute and gross injustice so to act. He would most solemnly and energetically protest against the foul play of not allowing the benefits of legal aid upon the one side as upon the other; and until the commissioners should take it upon themselves to order him to walk out of court, he would not so much surrender his own privileges and his clients' rights as to cease his protest for one moment. He appeared in court as the retained counsel of the memorialists; and if he were to be disbarred, he could not, of course, help it: but this he would most certainly do—conscious of the extent of his professional privileges, the necessity and entire regularity of his attendance; if the court should decide against him, he would instantly throw up his brief and advise his clients not to attempt going one step further in this most necessary, most useful, most solemn, and most desirable investigation.

“Without legal aid this enquiry would be fruitless—the truth could not be known, the intentions of the legislature and of the government (to whom praise was due for giving that opportunity) should be defeated, the country will be disappointed, the public-spirited individuals who had brought that important subject before the nation would have been making only a nugatory effort at the attainment of justice—and he should therefore repeat, that if the court were against him he would instantly and unhesitatingly throw up his brief, and advise those upon whose behalf he appeared not to proceed any further.

“Again, he would say, the present inquiry was most important.

The criminality it was instituted to examine into, deeply and intimately concerned the citizens of Dublin in their lives, liberties, and properties. His instructions authorized him to declare, that delinquency of the most enormous magnitude perpetrated, in the guise and under the pretence of the administration of justice, would be exhibited to the public in all its enormity. Curious instances of imposition would be exposed to view. Penalties—sometimes with ludicrous whimsicalty—sometimes with inveterate cruelty. The investigation of such charges as these was a matter of the most serious and highest importance to the community at large—they required the most serious pains-taking and solemn attention—they demanded all the consideration of the commissioners themselves, and (surely if the assistance of a barrister had ever been found useful in forwarding the ends of justice, in protecting and vindicating the liberty of the subject) they demanded also all the exertions of a professional man.

“He, therefore, claimed to be heard as a barrister—he claimed to be heard as a householder—as a citizen of Dublin. How could the commissioner possibly resist this his just demand? By what authority, and according to what precedent? In the courts of law, high and low, of every degree, it never was held or pretended that a barrister’s assistance could be dispensed with. The House of Commons admits that assistance. How, then, by what authority, and according to what maxims of expediency or justice could that Court, and that Court alone, reject?”

• Mr. Finlay, the other counsel for the citizens, followed with an able argument; but the commissioners were not to be moved. The following were some of the remaining incidents of the affair:—

“Sergeant Moore wished that the persons who had signed these charges should come forward, in person, and substantiate them.”

Mr. O’Connell.—“Mr. Day, with whom the government corresponded, and whom they acknowledged as the agent of the memorialists in this case, is in court. Memorialists appear by their agent and counsel, Mr. Day and myself; each in our respective, but certainly differing capacities, stand here as their representatives.

“Sergeant Moore still declining to recognize counsel, ordered the names of the memorialists to be read, and Mr. O’Connell observed, that it appeared to him, ‘as if they were now trying whether the

government were justified in directing the inquiry to be made, not proceeding to the inquiry itself.'

"William Bury, one of the memorialists, having denied that he had any ground of complaint against the police magistrates, and that he had been induced to sign the memorial by a misrepresentation.

"Mr. O'Connell asked whether Mr. Bury read the paper before signing it. Mr. Bury answering that he neither did not, or that his having done so, made no impression upon him, was again asked did he make harness for coachmakers; which he answered in the affirmative.

"Mr. O'Connell observed that he perceived he should soon get at the 'Long and short of the matter' (alluding to Alderman Long, one of the police magistrates, and a coachmaker).

"Mr. Sergeant Moore expressed much anxiety to prevent an opinion going abroad, that anything improper had been intended by the Crown Solicitor's letter (which Mr. Bury had received and had gone to consult the Lord Mayor upon) ere attending the court.

"The letter was then read requiring his attendance.

"Mr. O'Connell was willing to acquit the Crown Solicitor of any unfair conduct; however, it was remarkable enough that the only one of the memorialists who had appeared was '*a dupe*.'

"Some other names being called over, without the parties answering, it was proposed to adjourn the court, but Mr. O'Connell thought it necessary, previous to the adjournment taking place, that, among the charges to be preferred against the police magistrates, was one for using every possible exertion to induce persons who had signed the memorial to retract their signatures. The police establishment possessed a very extensive and powerful influence. In its mercantile character (for it embraced some persons of much weight in that line) its influence was very considerable, and its corporate capacity contributed also greatly to increase that influence. He was, however, wishing to stand forward on the part of the individuals who employed him, confident that they would not think of preferring charges which they could not substantiate, or of retracting a signature which they had once given. It was true, there might be found twenty, or five and twenty Irishmen base enough to be intimidated, or induced, by some other means, to retract what they had signed. He was sure, however, that the persons who employed him were not of this description. He had no doubt of their coming forward, but he could not answer for the appearance of those who had signed the memorial nine months ago, and some of whom might be of the description he

before alluded to. It was possible, indeed, that they might not have sufficient strength of mind or of principle to hold out against the influence which he was instructed had been used to prevail with them to retract their signatures.

“Mr. Guinness denied, in the most solemn manner, having ever used any influence of the kind attributed to the police magistrates.

“Mr. O’Connell was happy to have it in his power to inform Mr. Guinness, that his name was not among those magistrates against whom this charge was made.

“Major Sirr protested, upon his honour, that he never tried to prevent any person’s coming forward, and added, that whoever asserted it was guilty of a gross falsehood.

“Mr. O’Connell.—‘Mr. Sergeant Moore, there are some expressions which should never be used where gentlemen are concerned. As far as relates to myself —’

“Major Sirr.—‘I beg leave to say, that I did not, in the very slightest degree, allude to you, sir; I think you have behaved, during the whole transaction, in the most gentlemanly manner.’ . . .

After some further dialogue of a desultory character, the investigation was adjourned to the following Wednesday, the 21st of October. On that day the same parties attended, with an increased and overflowing crowd of general spectators, the case having excited the greatest interest in Dublin. Early in the proceedings of this day, Mr. Sergeant Moore, and after him, Mr. Disney, the second commissioner, announced their positive and final determination not to allow of the interference of counsel.

The latter made one effort more to assert what they deemed their privileges, and failing in that, advised their clients not to attempt to proceed any farther.

The following is the chief part of the report of the occurrences of the second day:—

“The remaining names were then ordered to be read over, and Mr. O’Connell again rose and informed the Court, that he appeared there on behalf of the memorialists who were his clients, and if he was permitted to proceed, he would be able not only to substantiate the charges in the memorial, but many others of a more grievous nature, and by credible and respectable witnesses.

“Mr. Sergeant Moore still persisted in the determination of not hearing counsel.

“Mr. Disney expressed himself to the same effect.

“Mr. O'Connell said, he would bow with respect to any decision Serjeant Moore and his brother Commissioner should please to make. He could not, however, help regretting, that an inquiry which the government had directed, under the seeming desire of gratifying the aggrieved citizens of Dublin, should have no other effect than to disappoint those expectations which had been naturally entertained; and that after having been led to form rational hopes of a fair and impartial investigation, they had been allowed only the mockery of a trial.

“Some allusion having been made to the number of persons in court, he observed, that if it had been intended to conduct the business in any other than a public manner—if there had been any idea of making it a private inquiry, he should feel himself called upon to enter his strongest protest against such a measure. That would be, indeed, a most extraordinary method of meeting the wishes of the public. Such a procedure was well calculated to shield delinquency, but not to discover guilt. He wished that the evidence of his being employed as counsel by five of the aggrieved individuals, and of his appearing on their behalf, should be regularly entered on the minutes of the court, to prevent any controversy hereafter.

“Mr. O'Connell and Mr. Finlay concurred in advising their clients to proceed no further in this inquiry, as it had been decided to prevent the assistance of counsel.

“Mr. Day, the agent for the memorialists, directed his witnesses to leave the court. He subsequently, in direct terms, charged the Under Secretary at the Castle, Sir Charles Saxton, with having lent himself to the attempt, to persuade or frighten persons into withdrawing their signatures from the memorial. A good deal of angry discussion ensued; but with no result, so far as any alteration in the resolves of the Commissioners, relative to not allowing memorialists the advantage of counsel. The advice of the latter was accordingly adopted by the memorialists, and the futile attempt at obtaining justice was abandoned.”.

. On Thursday, the 5th of November, 1812, there was an aggregate meeting of the Catholics of the county of Dublin, held at Kilmainham, convened, according to the terms of the requisition, “to take into consideration the propriety of peti-

tioning parliament for the total repeal of the penal laws affecting our (the Catholic) body," but, in fact, to afford an opportunity of discussing the results of the elections just concluded, and the conduct of particular parties in various localities during those elections; and, generally, the state and prospects of the Catholic cause. William Gerald Baggott, of Castle Baggott, was called to the chair.

When Mr. Baggott had concluded his short address, on taking the chair, Randal M'Donnell, Esq., after some remarks in praise of the conduct of the poorer classes of the electors during the late contests, introduced the resolutions that had been prepared.

The first was merely to the effect that the Catholics should petition. The second was as follows :

"That we deem the idea of annexing any conditions or restrictions to our emancipation, under the name of *securities*, to imply a most unmerited insult to our allegiance as to our understandings; and that such idea originated with our worst enemies, for the mere purpose of delaying the concession of Religious Freedom, which we claim as a right—the concession of which we deem essential to the safety of the country."

Then followed resolutions of thanks to their Royal Highnesses the Dukes of Kent and Sussex, for their favour and support to the Catholics; and also to "the Bishop of Norwich, Lord Donoughmore, the Right Hon. Henry Grattan, and other illustrious supporters of our rights in Parliament;" and to the Protestant friends of the cause generally.

6th Resolution.—"That from recent events, we deem it necessary to conjure the Catholic Freeholders of Ireland, to strengthen their interests by immediate registry, and to abstain from involving themselves in any promises that may connect them with the supporters of an incompetent and profligate administration."

Thanks were also voted to "Colonel Talbot" (the present Lord Talbot); Luke White, Esq.; Peter Locke, and John Hume, Esqrs., for their attendance that day.

The two first-named gentlemen having severally returned thanks, there were loud calls on every side for "O'Connell, O'Connell;" and, as the newspaper reports, "after a short hesitation, the Man of the People came forward and spoke to the following effect :

"I could not be an Irishman, if I did not feel grateful, if I was

not overpowered at the manner in which you have received me. Sorry, sunk, and degraded, as my country is, I still glory in the title of Irishman. (Bursts of applause.) Even to contend for Ireland's liberties is a delightful duty to me. (Enthusiastic plaudits.) And if anything is wanting in addition to the evidence of such humble efforts as I have already been engaged in, for the restoration of our freedom and independence, to evince my devotion to the cause of my country, I do swear, by the kindness you have shown me now—by any I have ever experienced at your hands, and by all that I hold valuable, or worthy of desire, that my life is at her service. (Applause.) And may the heavy hand of adversity fall down upon me, and upon all that are dearest to me—the children of my heart—if ever I forsake the pure pursuit of the liberty of Ireland. (Cheering for several minutes.) Gentlemen, we are now arrived at a period, when we are not only struggling for the interest of our own religion, but for the liberty, security, and peace of our Protestant brethren, both here and in England. (Applause)

“We are arrived at an important crisis, when a serious profession has been made, on our behalf, by the English parliament. This is the first time that a declaration such as that to which I allude was ever made in the senate. It is the first time that the voice of religious liberty was really heard in the British parliament—the first time that men were allowed to judge for themselves, and to obey the divine precept, of treating others as they themselves would wish to be treated. (Hear, hear.)

“The period is highly important, and calls for all the watchfulness, zeal, and assiduity of which we are capable. An administration (formed, heaven knows how!) have given us a specimen of their acting a neutral part towards us. They have promised that they shall not interpose their authority to interrupt the good intentions of any man. Some of them have even pledged themselves to support the Catholic question; and, probably, half of them have given some earnest of their improved liberality. I will, however, give them little credit for sincerity; I believe they would not even pretend to lay much claim to our confidence—they have too much modesty to expect to be believed by us (Laughter, and cries of hear, hear)—we have, I believe, without paying much attention to the professions of the Cabinet, arrived at a most important crisis. It behoves every man of us to do his duty, and to take care that we shall lose none of the important acquisitions we have made. This very administration of whom I am speaking, notwithstanding all their fair promises, have

been busily employed in throwing new impediments in our way since last session. But those impediments shall do us little injury if we do our duty. They certainly are our natural enemies—they hate liberty—they have an inherent abhorrence to freedom, and their hostility to us is particularly embittered by our contempt for them (Loud applause); yes, gentlemen, such are the men whom you, in your resolutions, have justly termed, ‘incompetent,’ and ‘profligate’—such are the men who now command the destinies of those realms, and, probably, the fortunes of Europe. (Hear, hear.)

“I am afraid, gentlemen, that I shall take up too much of your time if I advert to some topics that are crowding upon my mind. (Cries of no, no, go on, go on.) The first I should be inclined to allude to is, an address, lately published by a real friend to religious liberty, and printed by Mr. Cobbett, a distinguished colleague of his, in the exposure of public corruption—I mean Lord Cochrane, one of the members for the city of Westminster, than whom no man deserves better of every real admirer of political integrity and patriotism.

“This distinguished member observes, that he was once opposed to the Catholics, because he disapproved of the slavish doctrines which prevail ‘in the Romish Church.’ It is some consolation, gentlemen, that there is some person who can assure ministers, there is no danger in granting us emancipation—we are not *too fond* of liberty. (Laughter.) But, gentlemen, see the consistency and rationality of our calumniators! At one time they say we are agitating democrats, crying aloud for an unwarrantable portion of freedom: the very next moment they turn round and tell us, that we have a marvellous propensity for slavery! (Loud cries of hear, hear.) The truth, however, is, that their accusations are false in both instances; we do not go to excess on either side; we are partial to a legitimate and well-modelled monarchy in an hereditary line, and we, at the same time, reverence the majesty of the people. While we bear a true allegiance to the British constitution, we still say, that life is not worth enjoyment, without the blessings of freedom. (Reiterated applause.) Lord Cochrane admits that he is converted from his original antipathy to Catholics, and he says he is now ready to grant them all the immunities he himself enjoys, if, in the first place, they accept the privileges of Englishmen, and if, in the second, they renounce the jurisdiction of the Pope. I say, we are most anxious to obtain the privileges of Englishmen. Let Lord Cochrane recollect what the first Irishman that ever was born said at Newry.

[“ Here the learned gentleman was interrupted for several minutes by the acclamations of the assembly.”]

“ I am not surprised—continued Mr. O'Connell, when silence was again restored—I am not surprised that you should feel the most extatic emotions of the Irish heart, when I but allude to the name of John Philpot Curran. (Renewed cheering.) It recalls to us everything that is dear or interesting in our history—it pronounces everything that we are proud to live with in this age, and everything that shall be estimable in the minds of posterity. (Loud applause.) I know the name of John Philpot Curran has conducted you back involuntarily to that most awful era in our annals, when we were deprived of our independence, and metamorphosed into the colony of a people, who were not, and who are not, in the least, worthy of being our MASTERS. But, my friends, if we are true to ourselves—if Protestants and Catholics be alive to their commonest and most intimate interest, we may, profiting among other aids, by the assistance of this very idol of ours, to whom you have just paid your affectionate tribute—we may, I say, become a kingdom once more ! (Thunders of applause).

“ I had adverted to what my most venerated friend, John Philpot Curran, said at Newry. I would take leave to remind Lord Cochrane of it, assuming it to be the expression of Catholic feeling. The Irish Cicero there observed, that Englishmen love the privilege of being governed by Englishmen. I would tell my Lord Cochrane, that Irishmen fully as highly value the privilege of being governed by Irishmen. (Long continued applause.)

“ The second proviso of Lord Cochrane is one merely of a polemical description. He wishes to destroy the jurisdiction of the Pope. I would ask of him, in the name of Christian charity, has he not our solemn oaths to satisfy him ? (Hear, hear, hear.) We are degraded, excluded, and insulted, because we regard the obligation of an oath—because, for any favour earthly power can bestow, we would not violate our consciences ; and still, though this fact is clear and patent before the world, we are insulted, by being told that our oaths are not a sufficient security for our allegiance ! It is most amazing how men will presume to play with our feelings. We show them that we would be willingly bondsmen to all eternity, sooner than violate our oaths ; yet they demand, as a security, a breach of the precepts of our religion—not thinking even an oath from such people sufficient. (Hear, hear.) In the course of my professional pursuits, I

have been one hundred times compelled to swear that I did not think it lawful to commit murder. (A laugh.) You laugh, gentlemen, but what I tell you is not a greater absurdity than Lord Cochrane's proposed pledge. But see how the imputation which such men would throw upon us, would operate as applied to an individual in private life. They demand a pledge of us, saying, by implication, that we do not value an oath. Why, if any man in the community had the audacity to tell me directly that I did not value an oath, either he or I should not long survive such a flagrant insult. But we are told we have predelictions—we do not deny the charge. As for my part, I do not value the man who has not his predelictions and resentments; but, at the same time, Lord Cochrane may be as much afraid of our predelictions for the grand lama of Tartary, as for the Pope of Rome. (Hear, hear.)

“Those imputations upon our value for an oath evince only the miserable ignorance of our opponents, with regard to our principles and our uniform conduct. They bring to my recollection, again, the words of the great Curran at Newry, and serve to convince me still more of their entire justice, when he said, ‘that they are unfit to rule us, making laws, like boots and shoes for exportation, to fit us as they may.’ (Long continued applause.)

“I have taken up much of your time, gentlemen, but I confess I am anxious that the people of England should know us. If Lord Cochrane was here, I do not think that we could fail to convince him of the mistakes he has fallen into. We are no deluders or traitors—we do not make promises to violate them. There is a long tribe of wretches who accuse us of treachery; if they, indeed, revived their slanders, they should not obtain a reply. This junta constitutes the worst and vilest herd of the community. Whenever the invader touches our shores they will be the first to join him; while we, the insidious and agitating demagogues, are ever most ready to oppose him. And why should they not sell their country?—surely, they sell it to the minister. They may as well sell it to Bonaparte as to Lord Castlereagh, if they be proportionately rewarded. (Hear, hear, hear.) This tribe, I say once more, accused us of an insensibility to moral obligation. I would not condescend to answer them; but Lord Cochrane deserves a reply; he is a friend to civil liberty—a man, whose bravery in the battles of his country is not more distinguished than his integrity in the senate; it is a useful occupation of time, to labour to disabuse his mind of

prejudices adopted, doubtless, without consideration; his charges merit an answer, and if he were here, they would, I trust, receive a full and satisfactory answer.

“But, turning from the events and scenes that are taking place at the other side of the water, and contemplating what is going on in this country, let us examine what there is to interest us. The elections are in some places even still going forward. I am told the Catholics have considerably lost by the appeal to the people. (Hear, hear.) In one place they have lost, and lost to an incalculable amount, indeed. Christopher Hely Hutchinson has lost his election in Cork! (Cries of shame, shame, and hear.) I the more regret this misfortune, because it was not the efforts of a profligate minister that rejected him—not the anger that has followed his family, ever since one of them, with a patriotic and Roman-like resolution, drew the veil from the infamy that has kept you in slavery—from that nauseous luxury of enjoyment, in which the wine-bearer's voice is decisive, when he pronounces that you shall be still kept in bondage. (Applause.) He failed—Hely Hutchinson failed—not because the attendants at the Castle were despatched to uphold his opponents—not because our worthy Viceroy expended any of his private property in opposition to him—the profits of the coal tax in London, or the £30,000 he is allowed as a slave. Christopher Hely Hutchinson is out of parliament, not because he is not a friend to the liberties of mankind, an ornament to his country, a credit to human honour and integrity, but he has failed because of the apathy of Catholics! (Loud cries of shame, and hear, hear.)

“The negligence—the wicked and pernicious negligence of Catholics did against him what neither the frowns nor smiles of administration—the favour nor the anger of the Court, could do. Catholics neglected to register their votes in time, and thus they inflicted, upon our cause, one of the greatest and heaviest calamities that could befall us. (Hear, hear.) With what contempt do they now look upon themselves! Do they not despise themselves and their criminal negligence? But let not the lesson be lost—let it be proclaimed and spread as widely about as intelligence can reach. Let every man who hears me bear it strongly upon his mind, and communicate to his friends, that the neglect of the Catholics of Cork, in registering their votes, was the sole cause of our losing the services of an admirable Irishman. (Loud plaudits.)

“With the single exception of Cork the elections have been decidedly in favour of us. In Galway, indeed, there is not much to

applaud. At the head of the poll is Mr. James Daly, a nephew to Mr. Justice Daly, who sits on the bench, because of having voted for the Union. (Hear, hear.) The honest, manly, and incorruptible Denis Bowes Daly ought to have been returned without expense, and ought to have been in the place of the other gentleman. This upright Irishman has sat for thirty-six years in parliament, without ever giving a vote against the interests of his country; and *we are* told that there shall be a dubious contention between this well-trying patriot and a Mr. Eyre, a man who never did anything, but who tells us that he will do something. Meantime, the judge's nephew will be returned in spite of fate. (Hear, hear, and cries of shame.) This instance of ingratitude is truly lamentable, and most discreditable to those who are its authors; and whilst other counties are exhibiting the most cheering proofs of true public spirit, this falling off in Galway should be proclaimed to the reprehension of the world. (Hear, hear.)

"In Tipperary, General Mathew and Mr. Prittie are at the head of the poll. (Loud cheering.) All the efforts of Bagwell—all that private friendship and public corruption could effect—all that the influence of the Court could avail—all that favour, traced to the foot of the Throne, could perform, were unavailing. Catholics and Protestants stood and acted firmly together, and Mathew and Prittie were triumphant. (Loud cheers.)

"Nearer home, however, we have not so pleasing a prospect of popular success. Mr. Clements, a decided enemy of yours, is in; and Mr. White, whom you have so justly thanked and applauded this day, is out; but I trust there is still public spirit enough to return him, and add him to the list of your friends.

"In Wexford you have got two additional advocates.

"In Downpatrick, even, John Wilson Croker, of the admiralty, has, to use a northern phrase, been kicked out. (Laughter and cheers.) I remember about six years ago, when this gentleman and I were going circuit together, his Protestantism did not keep my Popery much in the back ground. (Laughter and cheers.) If, however, he were not a Protestant, I verily believe he would have been doomed to drudge all his life at the bar, though he has been, since that time, in parliament, and is now rewarded with a situation in the admiralty.

"In Drogheda we have got Meade Ogle, and have got rid of Foster. (Hear, hear.)

"But, surely, in Trinity College, we have not only been emanci-

pated from another Foster, but we have had an accession to our strength, in that credit to Ireland, that ornament to the bar, and that honour to human intelligence, William Conyngham Plunkett. (Loud applause.)

"I need say little of Dublin. The corporation are involved in debt, and Jack Giffard, the police magistrates, and Billy McAuley, could not muster votes enough to get up any man in opposition to Mr. Shaw, whose great crime it is to have acted honestly and conscientiously. The '*felonious rabble*' of the corporation, if I may use the delicate expression of one of its members, had not courage to produce one person to oppose Henry Grattan, who 'watched Ireland's independence in its cradle, and followed it to its tomb!'

"I have not called your recollection to the county of Dublin, where Mr. Hamilton, who had the credit of relinquishing his prejudices to you, was returned without opposition, because he discharged the trust you reposed in him faithfully and honourably; and where that truly excellent Irishman, Colonel Talbot, was returned also without opposition. (Here there were the most enthusiastic acclamations which lasted for several minutes.) Gentlemen, I am sorry that Colonel Talbot is present, because I am thus restrained from saying what my heart dictates, and his merit demands. He speaks, acts, and thinks like a true and genuine Irishman. Register your votes, and let him be ever sent to watch your interests as he has been at this election—namely, without the vexation of any opposition. (Loud applause.)

"Such is the state of the elections—such is the state of your cause. Is it not demonstrative, that if you had a Protestant parliament in Ireland, they would emancipate you?

["The manner in which this sentence was received by Mr. O'Connell's auditory is described as having been enthusiastic almost beyond any former experience. The applause was taken up again and again, for many minutes, with unabated, and almost increasing warmth, and it was not for a long time that he was suffered to proceed.]

"In the county of Clare, I forgot to say, the Chancellor of the Exchequer is thrown out. The Catholics of this county have covered themselves with eternal honour. All the money of the treasury was without influence to seduce them from their duty. Relinquishing, as was the case with numbers of them, the closest ties of intimacy, friendship, and kindred, they nobly told the Chancellor that they had every good wish for his interest, but that their country

had the first claim upon them and upon their votes. (The loudest applause.)

"The Ponsonby family have succeeded in the north. If the north was disgraced by the return of a Yarmouth or a Castlereagh, there is sufficient consolation in the circumstance I have just mentioned, to make us well pleased with our liberal Protestant brethren, in that portion of Ireland. In speaking of Lord Castlereagh, I do not know how to select words to adequately express my feelings. I should become an old man in foaming out the torrent of hatred and indignation with which my bosom teems. He is not here at the present moment; but I do not feel myself the less authorized to speak of him as an honest and injured Irishman should speak; because there are people here, I am well persuaded, to convey to him the language I use. Mr. Wellesley Pole boasted of his having people behind the curtain at every Catholic meeting. His successors, I suppose, have imitated his wisdom; and as there is, therefore, some spy, in all probability, lurking to apprise Lord Castlereagh of what goes forward, I have not restrained myself. Let the man who buried thousands of our brave troops in the marshes of Walcheren, and destroyed the springs of his country's liberty, know the feelings which are experienced by an Irishman, when his name is mentioned. (Loud applause.)

"To counterbalance the gloom that is thrown over the mind when the success of an enemy to the cause of Ireland is contemplated, I might exhibit the prospects that are presented by the residence of the young Duke of Leinster amongst us. (Loud acclamations.) Inheriting such a load of the virtues of his ancestry, his promises are great. Indeed there is something in the name of Fitzgerald to cherish and console Ireland under the heaviest afflictions. (Loud applause.) Let us hope that those virtues only want an opportunity of action to prove advantageous to the empire. Let us hope that he is at this moment at the meeting in Kildare, commencing a career of glory to himself and usefulness to Ireland. (Cheering.)

"Mr. O'Connell next adverted to the disgraceful efforts that have been made in the counties of Sligo, Leitrim, Roscommon, and Longford, by a disgraceful no-Popery faction, to agitate and disturb the public peace. To those, however, was to be opposed that formidable and imposing document, the Protestant petition, signed by everything of wealth, respectability or talent that was to be found throughout the country. He named to a few of the no-Popery

agitators, whose titles and peculiarities excited much laughter, a Mr. Steward Corry, a Mr. Owen Wynne, an encourager of pigs, and brother to the caterer-general of the Castle, and a Mr. Counsellor Webber, who was an assistant barrister, or in the words of the great Flood, who had once availed himself of the 'refuge *for tried incapacity*.' In one county, he said, 'an obscure clergyman was the author of a string of anti-Catholic resolutions. But the hypocritical affectation of liberality in those gentlemen. (Hear, hear.) Catholics were their loving brothers—everything delightful, and sublime, and affectionate. (A laugh.) They love us, but they desire us to continue slaves—they desire us to fight for them and pay the taxes, but they keep the reward to themselves. Mr. O'Connell descanted, at length, upon the necessity of agreement and unanimity between all classes at this awful crisis. He said it would be much more creditable and wise in ministers, at this juncture, to enter into a treaty of amity with the Catholics of Ireland, than lavish a subsidy of eighty thousand pounds upon Bernadotte—than build hopes upon the insurrection in Paris—form alliances with a chieftain in South America, or conclude arrangements with the Dey of Algiers. Mr. O'Connell concluded amid acclamations of applause.

"The resolutions were then put by the chairman, one by one, and carried unanimously.

"An additional resolution was then brought forward by Nicholas Mahon, Esq., to the following effect:—

"Resolved—That the thanks and support of this meeting are eminently due to the author of the *Statement of the Penal Laws* (Denis Scully, Esq.) for the zeal, patriotism, and ability with which he has published to the country the many grievances which affect the Catholics of Ireland."

"On the resolution being put from the chair, Mr. O'Connell said that he could not avoid noticing one among the many tricks which were attempted to be played off upon the people.

"There was what purported to be and was styled a 'Third Statement of the Penal Laws, which aggrieve the Catholics of Ireland,' published at *Jack Giffard's* office, and compiled by two notable individuals. It contained only those laws which were passed when the inhabitants of Ireland were wholly Catholic, and where the government intended an insult, they had, in fact, conferred a compliment.

“ Mr. O’Connell then seconded the resolution of thanks, which was put from the chair, and passed unanimously.

“ Mr. Kirwan said, that when his respected friend, Mr. O’Connell, was upon the topic of the Cork election, he thought something would have been proposed to ensure a seat in the next parliament to that most distinguished patriot, the Hon. Christopher Hely Hutchinson, a man not more celebrated for splendid talent than for pure and disinterested love of country.

“ He proceeded to suggest that a borough might be purchased for Mr. Hutchinson; and added, that he was authorized to say, that ‘ a sum of one thousand pounds was in readiness to be subscribed immediately,’ for that purpose. He concluded by moving that Mr. O’Connell should be requested to frame a proposition, pledging the Catholics to procure a seat for Mr. Hutchinson.

“ Mr. O’Connell declared that he was extremely obliged to his friend, Mr. Kirwan, for his suggestion; and expressed, in the warmest terms, the gratitude which he conceived the Catholics of Ireland, and Ireland herself, owed to Mr. Hutchinson and to his illustrious family.

“ But he was aware, from his professional knowledge, of a *circumstance* which would make it imprudent to pass a public resolution of the kind Mr. Kirwan proposed. There was a special and express act of parliament, declaring that no money should be *directly paid* for seats in the legislature; though it was well known that *indirect* means were pretty extensively and unhesitatingly put in motion for that purpose.

“ Money, he believed, was little regarded by true Irishmen, when put in competition with the expression of their feelings, and gratitude was one of the most ardent and liveliest feelings of the Irish heart. This proposition had been before in contemplation, but it was wished that the Catholics of Cork, who formed so wealthy and influential a body, might be allowed an opportunity to retrieve their error, in some degree, by sending Mr. Hutchinson into parliament.

“ They had already offered to defray the whole of the expenses and charges to which he had been put, but he had utterly refused to allow them to do so. He (Mr. O’Connell) would, however, write to Cork that night, and if immediate steps were not taken by the Catholics there, to ensure their late worthy representative a seat, he pledged himself that indirect means should be used, without delay,

for the attainment of that object. One of the first names that Ireland could boast—one of her most steadfast patriots—one of her dearest sons, had authorized him to put down his name for four hundred pounds, and to extend it to five hundred, if it should be found necessary.

“Another gentleman, to whose *private worth* he was happy to bear testimony, however he might disapprove of his late *public* conduct, had empowered him to put down his name for one hundred guineas, and to increase it to two hundred guineas, if it should be found requisite. This last gentleman was Mr. John Lalor, of Cranagh.

[“The allusion was to Mr. Lalor's being reported to have voted against the popular party at the late election.”]

“He (Mr. O'Connell) had no doubt that Mr. Hutchinson would sit in the next parliament; and though he did not take up the resolution suggested by his excellent friend, Mr. Kirwan, he was happy to seize upon the opportunity to propose a resolution approving of Mr. Hutchinson's conduct, and couched, so as to express, as nearly it as was possible for words to convey it, the gratitude which the Irish Catholics felt towards that gentleman.

“Mr. Hutchinson had always shown himself the intrepid defender of his country. At the time of the Union he was opposed even to his own family. At that time he said that it was lawful for the people of Ireland to defend their constitution in the field—*that the Catholics and Protestants ought to bury their mutual prejudices in oblivion—turn out together—fight for the liberties of their common country—preserve them or die!*

“Mr. O'Connell concluded by moving the following resolution, which was carried unanimously, and with the greatest applause:—

“‘Resolved—That we feel it beyond the power of language to express the zeal and devotion with which the Catholics of Ireland are bound to the Hon. Christopher Hely Hutchinson, for his uniform conduct in the *IRISH and English House of Commons.*’”

How sadly the reading of these proceedings brings on the mind again the recent loss to Ireland of that true-hearted and high-minded patriot, the Hon. George Hely Hutchinson, nephew of him in whose favour the foregoing resolution was passed!

It may be permitted to one who had the many opportunities of knowing his worth, which the details of committee business in

the Repeal Association afforded, to express the conviction that a man more sincerely, disinterestedly, and whole-heartedly devoted to the best interests of Ireland—to the restoration of her parliament—never existed than he, whose loss we have now to deplore.

The expressions quoted in the foregoing speech were used by Mr. Curran, in an address of his at Newry, where he had just lost his election. The worst feature in this circumstance was, that his Orange opponent, General Needham, received the *active support of several leading Catholics of that town*, members, too, of the Catholic Board.

Their delinquency in this respect, and similar misconduct of prominent Catholics elsewhere, excited a very just and general indignation throughout the country.

- At every election since, there have, unfortunately, been some instances of this recreancy. Catholics have been found to vote for their bitterest enemies, in opposition to the advocates of their rights, and of the liberties of their country. This, undoubtedly, was criminal in the Catholic elector of low degree, because the violation of a conscientious duty cannot be otherwise than a crime. But for multitudes of the humbler offenders in this regard, at the various elections from the time Catholics were re-admitted to the franchise, down to our own days, there have been, not the excuses, but the extenuations of impending ruin and starvation; whereas, the wealthy Catholics who have so offended, have no excuse whatever.

- Even at the election of 1841, when the war-whoop of the worst bigotry was revived, when the no-popery yell drowned the voice of reason and remonstrance among so many English constituencies, there were Catholics, men of wealth, found to go against their country, and give their support to the pledged supporters of intolerance and oppression. Partly these lamentable facts are attributable to the common frailty of human nature; more, however, to the dregs of old servility remaining in the blood of men born in servitude.

Mr. O'Connell has frequently said—and his remark is confirmed by very many others—that during several years of the present century, nothing was easier than to know a Catholic in the streets, by his subdued demeanour, and almost crouching walk.

That outward mark of degradation has disappeared ; but two many, at least, of the wealthier classes among the Catholics, manifest that the feeling from which it proceeded is yet existing within, prompting them either to the open flagrancy of giving their votes, at elections, to their old oppressors, or observing towards them, in the ordinary affairs of life, a miserable subservience and complaisance.

• Altogether, even where these delinquencies cannot, with justice, be attributed, there is, among the Catholics of the upper classes in Ireland, some want of a proper appreciation of themselves, both in sentiment and action. There is too much of a disposition to take and act upon what are falsely called *moderate*, but are really mean and debasing views, in all matters where Catholic interests come into question. There is too much of a disposition to false candour, and to paltry and derogatory compromise, in the idle hope of conciliating and securing something of a corresponding return, which last is never made. The party that have been in the ascendancy in this country, preserve, to the full, as much of the old habits of that ascendancy as the meanest-spirited Catholic does of the old habits of his degradation—and they take all concessions and conciliatory self-depreciations on our side as matters of course, quite proper for us to make, and by no means imposing on them the necessity of doing much by way of return.

Such is the habit of mind with the better portion of that party ; with the vulgar amongst them, these overweening concessions are matters of infinite jest.

This state of things should not be. It is not fair towards ourselves, of course ; but, also, it is not fair towards the party thus encouraged in its old prejudices.

If this country is to enjoy that blessed unity among men of all religious professions, for which, in political matters, every one who loves her is bound so earnestly to struggle, a really firm and lasting cordiality can only be secured by that which is found the best and most lasting foundation of friendship between man and man in private life, namely, the creation and maintenance of a *mutual respect*. So long as one set of men are taught, either by the current of a partial legislation or by the injudicious con-

cessions and compromises of another portion of the community, to consider themselves the superiors of that other portion, so long there can be no real amity in that community.

The existence of that amity is rendered still more impossible, by the fact, common to human nature, that those who cringe and concede unworthily to gain an end which they think not otherwise attainable, are exactly the persons most likely to offend in a contrary way, when they no longer see anything to be gained by persevering in servility.

Passing these reflections, of which even the most ordinary observer of Irish affairs cannot fail to perceive the very constant relevancy, we resume our immediate subject. .

On Saturday, the 7th of November, 1812, the Catholic Board re-assembled at their rooms in Capel-street, when a good deal of angry feeling was manifested towards those who, in the words of one of the parties present, had, "under any pretence whatsoever, supported a no-popery retainer, or partisan, at the elections."

Notice was given by Mr. Lawless (so long afterwards better known as "Jack Lawless"), of a resolution condemnatory of the individuals alluded to, and declaring that they "had utterly forfeited the confidence of the Catholic Board."

Mr. O'Connell gave notice that he would bring forward a motion, on the ensuing Saturday, that another grand dinner should be given, some day in December, to the friends of religious freedom.

Upon the day mentioned, the board accordingly met; and the question as to the dinner came, in point of form, first under consideration. To this Mr. Byrne objected, as a matter of insignificant importance compared with that involved in Mr. Lawless's notice.

"Mr. O'Connell differed widely from Mr. Byrne: the dinner, if its own intrinsic worth were considered, was, certainly, of little value, and to none of less value or consideration than to himself; but it would, in his opinion, have the good effect of bringing Irishmen together in awful and dangerous times—keeping alive in their minds the great constitutional objects for which they were labouring, and

uniting them more firmly and lastingly in the bonds of mutual attachment, and in the legitimate pursuits in which they were engaged.

“He had but few words to say upon this subject, because he really thought it did not admit of controversy, or stand in any need of illustration. He had only to propose, that the entertainment he contemplated should be given to a limited number of their Protestant friends. There was quite too much inconvenience on the last occurrence of this kind, from the vastness of the crowd that the liberality of the day had enabled them to assemble together, and few had been able to enjoy the meeting as they could wish.* He thought, therefore, that it was very expedient to limit the number of invitations to two hundred; he was strongly impressed with the expediency of this arrangement; no room would accommodate more satisfactorily, or enable them to include half of the upper classes of their patriotic friends, though a small one, it seems, is ample enough to contain all the freemen of Dublin, who can be bribed to oppose them, or to burlesque the present notable administration, by applying to them the epithet ‘dignified.’

• “He would again say that, in his mind, there could be no question as to the utility of once more meeting the friends to Catholic liberty and to Ireland. When another pitiful crusade was set on foot by their contemptible enemies, it was necessary, by arming themselves with new zeal, and union, and unanimity of their friends, to guard against it. It could not escape recollection, that a fragment of a grand jury have, within a few days, been goaded into the politic act of representing the Catholic board as a nuisance. This base insinuation demands something from the Catholics of Ireland. He thought, indeed, every individual should think it deserving of his personal notice; and, as for himself, at least, he would take an opportunity of evincing his sentiments upon the baseness of those who would meanly insinuate it, without having the courage to assert it.

[“Here there was a general expression of disgust at the conduct of the gentry alluded to.]

“Their conduct (said Mr. O’Connell) cannot be viewed by any liberal man without feelings of indignation and contempt, sanctioned, as they were, by a man whose hand is not yet cold from embracing his Catholic friends at a public hustings, and whose voice has yet scarcely ceased to imprint upon their ears professions of regard and everlasting attachment.”

Mr. O'Connell, after some pointed observations upon the new efforts that are making to destroy the hope of Ireland, concluded by moving :

"That a grand dinner be given, on some convenient day in December, to the friends of religious freedom; and that the number invited be limited to two hundred."

The limitation, however, appearing decidedly against the sense of the meeting, Mr. O'Connell withdrew that part of the resolution, and the remainder was passed without further opposition or remark.

Mr. Lawless then rose to make the motion of which he had given notice; but was for a few minutes interrupted by the chairman, Lord Fingal, who entered a protest, by anticipation, against being personally bound by the decision of the board, should they adopt Mr. Lawless's motion.

The latter gentleman resumed, with some observations upon this declaration of the chairman, the spirit and tenor of which he deprecated, and then proceeded with his motion, animadverting particularly on the conduct of Mr. Caulfield, of Newry, who, though a Catholic and (still more) a delegate, had not only not voted for Curran, but had actually polled for his adversary.

The motion was seconded by Dr. Sheridan; after which two or three gentlemen spoke against it; and, stating various excuses for the conduct of the parties whom it purported to censure—

Mr. Byrne made the following defence for Mr. Caulfield, who was, as we have before noticed, more particularly censured :—

"With respect to Mr. Caulfield, he had been under obligations of a most binding nature to General 'Needham. In the dreadful year 1798, Mr. Caulfield had been taken up on suspicion, and it turned out that the suspicion was ill-founded; as, indeed, proved to be the case in so many other instances. He was, however, for a long time detained in a dungeon; and the friends of the candidate for whom he has recently voted, employed all their interest to obtain his release.

"When they succeeded at length in obtaining it, it was sent to Mr. Corry, in the country, and that gentleman kept it eight or ten days in his pocket, suffering Mr. Caulfield to languish in

confinement. At that time, and long subsequent to it, the received opinion was, that if any candidate were to start against General Needham, Mr. Corry would be the man. Under this misconception, Mr. Caulfield gave his promise to support the candidate to whose exertions he should be indebted for his liberty."

After some other gentlemen had spoken, Mr. O'Connell rose and said :

"He had very little to offer on the present occasion. He had no doubt, and he believed the board had no doubt, of the propriety of inflicting their great and heavy punishment of their censure on men who had yielded to the basest motives of betraying their country. It was not only the duty of every man who gave his vote, to pledge the candidate, not only to the support of Catholic Emancipation, but also to the exertion of every means in his power to oppose an incompetent administration, and to support the rights of the country. But he was sure that a meeting of Irishmen—of Catholics, and of gentlemen, would not confound the base and despicable betrayer of his native land, the shameless deserter of the tried friends of the cause, and the man who had acted, from an impulse the most honourable to any man, that of redeeming plighted faith.

"You seem to find it difficult to draw the discriminating line yourself; and how much more so will it be for the public. If an indiscriminate stigma of this nature were to be sent abroad, it would be easily converted into the instrument of private malignity. This air-drawn dagger which you sent forth to the world would be soon presented to the breasts of, perhaps, meritorious individuals, to gratify the purposes of malice and revenge. It would be made the weapon for avenging injuries committed, or supposed to be committed, upon individuals in private life, and thus, instead of carrying the weight and dignity of a censure pronounced by a great body after difficult evidence of its justice, it would dwindle into the petty, but mischievous character of a tool, which every ill-minded man might seize upon to satisfy his private resentments.

"It was true there had been room for censure. But the board should, at least, give those persons an opportunity of satisfying themselves before it inflicted punishment upon them; it should hear before it decided. The censure involved the most serious consideration. It was one which would not only affect the individual, but would be handed down to the latest posterity. It should, therefore,

be resolved upon with the greatest and most mature deliberation; not when the assembly was heated by the remembrance of recent election contests, heated by a warm and protracted discussion, and doubly excited by description of the transcendent merits of John Philpot Curran—merits which it is impossible to do justice to. He would ask whether such was a moment to pass a grave and solemn censure, and to pass it in such a form that it may be applied to the very last man in the community to whom the board would wish to extend it—a man who has ever been the most steadfast supporter of the cause, and who would freely lay down his life for it. It may be said he deserves it; if so, inflict it; but do it manfully, openly, honourably. Let it not be said that you decided without trying—that a tribunal of Irishmen would even risk the charge of visiting an Irishman with injustice. It would be cowardly to rob a man of his character in the dark. Those men may have cases to make; they should be permitted to make them.

“With respect to the political principle, he conceived the board possessed the power. It would be impossible, for many reasons, for an aggregate meeting to inflict the censure; and as to sending members back to the counties, that would be recognizing the principle of representation, which they denied in the most positive manner. The members of the board were not representatives, but they contained within them the mere and unbought feeling of Irishmen, and to that feeling he would appeal for justice to the character of a gentleman. You are now acting upon *ex post facto* law. It is possible that reasons may have existed for this conduct and sure you are not to put those persons to the bar of the Irish people, without hearing them. He would propose an adjournment for a fortnight. If gentlemen were right in adopting the censure this evening, they would be equally so this day fortnight, and it would come with double weight when resolved upon coolly, without being inflicted by a panegyric on the merits of Curran, of Hutchinson, of Mathew, or of another, whom Mr. Lawless forgot, Prittie. The board, by passing the present resolution, will assist to shield the real delinquent, by laying part of the blame upon worthy men. He concluded by moving an adjournment, which was seconded by Nicholas Mahon; and, after a short additional discussion, carried, on a division, by a large majority.”

On Saturday, the 28th instant, the discussion was again revived, in a densely crowded meeting of the board. Mr.

O'Connell called the attention of the board to the unwarrantable exercise of authority by certain individuals, who had taken upon themselves to issue summonses to attend the adjourned debate on Mr. Lawless's motion. He also proposed a further adjournment until the following Monday, to some larger place of meeting, where there would be room for the immense crowds which had that day assembled, blocking up the passages, and crowding even the street below. It was, however, determined to remain where they were; and the debate proceeded on Mr. Lawless's motion, put in the following shape:—

“That such persons as had deserted the tried friends of the Catholics at the last general election, were no longer deserving of their confidence.”

After several very animated speeches *pro* and *con*, M. O'Gorman (Nicholas Purcell) moved, by way of amendment, to add a sentence, approving the explanations offered by Mr. Lalor, of Cranagh, and some of the others originally inculpated.

“Mr. O'Connell supported the amendment, but not as an addition to Mr. Lawless's motion. The original resolution he considered to be one of the most unjust, indiscreet, and inconsistent that could possibly have been conceived. It would affect any man and every man. It would sacrifice men who had ever evinced the utmost anxiety and zeal for the promotion of the Catholic cause. It would go to divide the body, and interrupt that harmony which was acknowledged upon all hands to be of the most vital importance. It would carry the broad inconsistency upon the face of it, of censuring persons who at the same time were held to have satisfied public opinion.

“One gentleman (Mr. O'Gorman) had told them he supported it on the grounds of its having elicited the satisfactory explanation which they had that day heard. But, surely, it was unfair, after acknowledging these vindications to be so entirely full and complete, to send out to the world a vague and general censure that might be turned against the best men in the community.

“Another gentleman (Mr. Costigin) had said, ‘let those the cap fit wear it;’ but it was not always the person whom the cap best fitted that it was placed upon by the public. It seldom happened that the individual whom the cloak of infamy best suited would of himself put it on. Such a person was generally far more disposed to throw it over the shoulders of the innocent, and array himself in the

garb of hypocrisy, and so elude the disgrace which he was so conscious of meriting. It was, to borrow an illustration from scenes of horror that had been alluded to, a pitch-cap of torture that they were about to force down upon the heads of unoffending men, and not a well-earned infliction upon real and shameful delinquency.

“It should be borne in mind that that board was the organ, as it were, of the Catholic people. Being so, its denunciations came to be considered, and were, in effect, the denunciations of that people. The Catholic Board should not forget those men whose exertions, whose influence, and whose active patriotism had worked up the cause to its present high position and momentous importance. It was no small triumph to observe gentlemen of the first rank and consideration in the country coming forward to vindicate themselves to that board. He well recollected a time, when men, possessed of their fortune, station, and high respectability, cared nothing for any resolutions that might be passed by meetings in Dublin. The Catholic Board, he would again beg of gentlemen to recollect, had now arrived at such a pitch of influence and importance, that their frown was sufficient to cast dismay around any man they attacked; but it behoved them to prove that the moderation and justice with which they exercised that power was commensurate with its magnitude. Whatever might be the decision of that day, he would take upon himself to assert, that no Catholic in the land would venture to vote again in a manner that could subject him to their displeasure. It was evident how unjustly the resolution might operate, from the statement which a highly-respectable gentleman (Mr. Burke) thought it necessary to make a short time before; and he begged leave to assure that gentleman, that if he had not been present to advocate his cause in person, no efforts of his (Mr. O’Connell) should have been wanted to insure the justice which was his desert.

“He thought individual votes of censure, on every account, highly reprehensible, and certain to be attended with the very worst consequences. It would be nothing less than transforming the Catholic Board—which possessed the dear, invaluable, unbought confidence of the Irish people—into a terrible inquisition. If such a transformation were to take place—if an assembly, instituted for the advancement of constitutional freedom, assumed to itself such inquisitorial privileges, there was an end at once to the security of the best men. No one, however conscious of his own innocence—however anxious to do his duty to his country without a thought of personal advantage to himself, could feel, or could be safe. He claimed for himself

sincerity at least ; and he was not conscious of ever having acted otherwise than as he sincerely believed his duty to his country required : yet, if this system were to be established, he knew not how soon he might be unjustly and summarily condemned. Should a faction who could muster twenty or twenty-five votes have it in their power to act in this manner, he knew not how soon they might come forward and say, ‘ Daniel O’Connell does not deserve the confidence of the Catholic people.’

“ He prayed the board to act with the dispassionate candour becoming them as a great, deliberative assembly ; and concluded by supporting the amendment, in so far as it expressed approval of the explanations that day offered, and confidence in the gentlemen who had made them.”

* However, the efforts to which Mr. O’Connell alluded twice in the foregoing speech were successful. The room had been packed in favour of the vote of censure ; and, after two divisions—“one upon the amendment of approval, and the other on a subsequent amendment to adjourn—the censuring vote was carried.”

The case of Taaffe and others against the Chief Justice of the Queen’s Bench, mentioned in our account of the arrests of the preceding year, came now (November, 1812) again before the courts, after successive adjournments from the preceding terms.

Our concern is not with a detailed history of its progress ; and we shall therefore give, without further preface, Mr. O’Connell’s speech in the case, Friday, November 13, 1812, in the Court of Common Pleas.

The following is the report of the *Freeman’s Journal*, in its number of Saturday, November 14 :—

“ Mr. O’Connell appeared in court this day, to make his reply to the arguments of Mr. Pennefather, as delivered on Tuesday last. The court was excessively crowded, and it may, with truth, be said that no person who came for the purpose of enjoying a display of forensic powers, went away disappointed.

“ My lords (said Mr. O’Connell), I am highly sensible of the indulgence I have received from the Court on the present occasion. I feel no small regret at having consumed any portion of your lord-

ships' time, but I shall be as brief as possible, while I endeavour, in discharging the only duty that now remains to me, to reply to the arguments of the gentlemen on the opposite side. And, my lords, in discharging this duty, I shall avoid imitating the example set me on the last day by one of these gentlemen, and (if I do not err) by the other on a former day, in travelling out of the direct course which the question before the Court prescribes. I shall leave unnoticed what has been called the 'whimsicality,' of introducing politics upon an occasion like the present, and confine myself to a mere question of law.

"But though Mr. Pennefather, in describing the nature of the present action, takes a fancy to quoting one of the law books, and calling it a 'bold attempt on the government of the country;' yet, in explaining what I conceive to be the law of the land in the case, I will not, even though I exclude political reflections, for a moment persuade myself that I ought not to speak my sentiments and those of my colleagues upon it, with the most unrestrained and unembarrassed freedom. The question involves great constitutional principles. It does not depend upon mere technical rules or technical reasonings, but must be decided upon consideration of the nature and extent of personal liberty in this country, and the sense judges have of the rights of the subject, and the redress they are entitled to avail themselves of for the injuries they suffer.

"Little aid can be obtained from modern cases. The simple question is, whether there is a class of magistrates in this country entitled to issue their warrants without any information upon oath, and without any crime having been actually committed, and entitled upon such warrants to imprison any description of the king's subjects, without having afterwards to make atonement and compensation. If the Court decide with the defendant, they establish this monstrous proposition. See what the action is: it is an action brought against the defendant for false imprisonment, and his justification is that he is Chief Justice of the King's Bench. This is the proper form of an action brought against a magistrate who issues a warrant. The case of *Morgan v. Hughes*, in *Term Reports*, 225, proves that it is the only form of action suited to such a case. This was an action of trespass, the defendant being accused of having issued his warrant, and maliciously arrested the plaintiff. There was a demurrer to the declaration, and judgment was had that the action should have been brought for false imprisonment. What is the nature of the present defence? The mere assertion, that the learned defendant is Chief Justice of the Court of King's Bench, and the assertion of the mode

he adopted in imprisoning the plaintiff. It does not say that he despatched his menial servant with such commands as he pleased to give; but it does say that he granted his warrant with such recitals as his imagination suggested. This is the real language of the plea. It cannot be aided by any intendment—no presumption can be made in its favour; on the contrary, the first principles of pleading require that it should be taken most strictly against the defendant. This is the rule laid down by Lord Coke (Coke Littleton, 303-6); and to show that this general rule of pleading most directly applies to justification, I beg to refer you to Cummins's Digest, E. 17. Nothing, therefore, can be intended beyond this allegation, that the defendant was a magistrate, and arrested the plaintiff by his warrant. The Court cannot supply the allegation:—1st, that the crime was committed—2nd, that the plaintiff was one of the persons concerned in that crime—3rd, that the defendant knew or suspected that the plaintiff was so concerned. These are clearly material and traversable allegations, upon which issue might be taken, and the fact tried by a jury; but no issue tried upon this plea, can bring any of these facts into controversy. Upon the trial it would not be necessary for the defendant to prove any of them; so that it is clear, that if the demurrer be over-ruled, the Court will establish a right in a class of magistrates, or in some of them, to arrest without knowledge—without suspicion—without a crime—without a criminal act.

“The class to which I allude is, the Lord Chancellor, the Lord Treasurer, the Lord High Steward, the Lord Marshal, the Lord High Constable, the four Judges of the King's Bench, and the Master of the Rolls. (1st Blackstone, 350.)

“I now proceed to show—1st, that the plea does not state any matter sufficient to justify the imprisonment of the plaintiff; or, in other words, that the trespass is manifestly a false imprisonment, notwithstanding any thing alleged in the plea; 2ndly, that there is nothing stated in the plea sufficient to bar the action for false imprisonment against the defendant. If I clearly establish the first, I think I shall go far to induce the Court to decide the second proposition in my favour.

“Now, as to the first, it seems unnecessary to go beyond the unrepealed clause of the great charter—namely, that ‘no freeman shall be imprisoned unless by the judgment of his peers, or by the law of the land.’ Here I may rest my client's cause, and call for that judgment of his peers, or that law of the land which dragged him, without the ordinary courtesy of summons or notice, from his family;

which associated him through the streets of this city, as if he were a felon, with the thief-takers of the police. Where is the judgment which condemned him to sustain this inconvenience and contumely? There is none, my lords. It is not pretended that there is any. And for law we are presented with this warrant—a warrant, not only assuming, but creating all the facts, and fortified by nothing but its own allegations, commanding the arrest of the plaintiff—a warrant, distinguishing, it is true, between meetings for the purpose, and those held under pretence of petitioning parliament, but declaring guilt in either case. But can it be insisted that this warrant answers the description of the law of the land? It seems to me to be a monstrous proposition to call it so; and, indeed, it would be more absurd to call any man a freeman who was subject to such a law. He would be the abject slave of caprice. I know, my lords, that a statute, the 37th of Edward the Third, chapter 1, has explained the words *legem terræ* to mean ‘due process of law.’ Here I wish it to be distinctly understood, that I, for the present, concede in argument, that which, in point of law, I could not admit, save for the sake of argument, that the supposed offence charged upon my client, is one for which any subject is liable to arrest before indictment. It is not a felony nor a breach of the peace, and, therefore, I do not think an arrest before an indictment was justifiable in this case; but for the present I concede that it would have been justifiable upon ‘due process;’ and if this warrant be ‘due process of law,’ is the present question. I have already shown that this warrant is not grounded upon any evidence, a suspicion either of an existing crime, or of the plaintiff’s being a criminal; but to sanction an arrest, all these are necessary ingredients in a lawful warrant, for no arrest can be made before indictment, except there be either first a direct charge upon oath, stating the existence of a criminal, and that the party actually is, or is suspected to be the criminal; or, secondly, strong and rational suspicion declared on oath, of the crime and criminal. That this is the utmost extent of the legal doctrine of arrests—that these are the legal grounds to justify the granting of a warrant, appear from all the books—4th Blackstone, 289; 2nd Hale, 108, 110; 2nd Hawkins, 135–6. Hale, in page 110, represents the necessity of examining the parties requiring the warrant upon oath, as to the fact of the existence of the crime and the criminal; and Blackstone says, that ‘without such oath no warrant should be granted;’ and the same law is laid down by Sergeant Hawkins. By consulting these authorities, my lords, you will find that I am

borne out in asserting that this is the very extent of the law ; for more ancient writers, as Lord Coke (2nd Institute, 51, 52) had asserted that, before indictment or presentment, no man could be arrested ; and all that Hale, Hawkins, and Blackstone contended for is, that Lord Coke is mistaken ; for that if there be a charge upon oath, a warrant to arrest may be granted before indictment. This point—namely, that a charge upon oath sanctions an arrest, is the utmost they contend for ; and Hawkins concludes his observations upon the subject in these words—‘ Yet, inasmuch as justices of the peace claim this power (that of arresting before indictment) rather by connivance than any express warrant of law ; and since the undue use of it may prove so highly prejudicial to the reputation as well as the liberty of the party, a justice cannot well be too tender of his proceedings of this kind, and seems to be punishable, not only at the suit of the King, but also of the party grieved, if he grant any such warrant groundlessly and maliciously without such a probable cause as might induce a candid or impartial man to suspect the party to be guilty.’ (2nd Hawkins, 135–6.)

“ We have then got to the extreme of the law when we arrive at arrests by warrants, because of a charge established by oath ; and an extreme which has been resorted to, not because it has the sanction of any express law, but by means of its necessity, to prevent the escape of felons before they could be indicted, and from connivance at the long-used practice. It is not, indeed, in cases where it applies now, disputed, because, in addition to the authority on which it rests in the direct opinion of the ‘sages of the law,’ it has been recognized in some cases of felony by those acts of parliament, which direct the manner, in some instances, of giving bail upon such warrants. But there is no where to be found any case of any allegation of any law writer carrying the power of arrest further ; for I need not detain the Court by any comment on the passage in 2nd State Trial, 5, 6, which refers to Trogmorton and Allen (2 Rolle’s Abi., 558).

“ Mr. Perrin has, with the ability and learning he discovers on every occasion, shown you that Hale must be understood as meaning that the warrant of the justice is a justification to the constable who executed it, not that the justice could protect himself by his own allegation. This distinction is familiar to your lordships ; and, although Mr. Foster seemed to rely on the passage, to sustain the defence of the justice who issued the warrant, yet, Mr. Pennefather felt himself bound to admit that the passage is merely applicable to

the constable; and the case referred to, Trogmorton and Allen, is accordingly the case of a justification by a constable. There is, therefore, I repeat it, not even a solitary dictum in the books, and if there had, the research of the counsel for the defendant would have discovered it. There is not, I confidently repeat, a single assertion in any law book, that a warrant may be legally issued without a charge upon oath. It follows, therefore, of obvious and inevitable necessity, that this warrant was not legally issued.

"It was not 'due process of law.' My client has been illegally, and against the provisions of the great charter, deprived of his liberty. The defendant is guilty of false imprisonment.

"This brings me to the second point; for it is alleged, that though the arrest was unjustifiable, although the defendant be clearly guilty of a trespass and false imprisonment, yet he is not responsible in an action for damages. In short, that although he is not infallible, still he is inviolable; but I trust, notwithstanding, I shall be able to satisfy the Court of my second proposition—namely, 'that the matter stated in the defendant's plea is not sufficient to bar the action for this false imprisonment.' The plea contains nothing but the fact which appears on the face of the declaration—viz., that the defendant is Chief Justice of the King's Bench, with all the authorities and rights belonging to that office, and that he, as such, arrested the plaintiff by means of a warrant. Upon this allegation, the counsel for the defendant contend that no action lies, and conceding that a trespass has been committed, they say, that this is one of the instances in the law where there is an injury without means of compensation, because the defendant being a judge of a superior court, no action will be against him.

"It is, my lords, readily admitted, that no action lies against any judge for any judicial act whatsoever; but we insist that it does lie against every judge for ministerial acts. This distinction was taken by Mr. Perrin, and sustained with his usual force and ingenuity. It was admitted by Mr. Foster, and though not expressly admitted, it was, as I shall show, distinctly recognized by Mr. Pennefather, who, however, has announced a new proposition—namely, that no action lies for any act of a judge of the superior courts, adding, in the meantime, any act done as a judge. Now, if by acts done as a judge he means judicial acts, this is conceded. If he includes ministerial acts, and that the judges of the superior courts are in no wise responsible in actions, although for the same acts, and within their jurisdiction, inferior judges would be responsible; this is not

only denied, but the charge of a 'bold attempt' to subvert principle recognized in every case he has himself cited, is retorted, and justly retorted on the learned gentleman; for, in *Hammond and Howell* (2 Mod. 218) quoted by him, the Court expressly says, 'though they (the judges) were mistaken, yet they acted judicially, and for that reason no action could lie against the defendant.' For what reason? Not because the defendant was judge of any particular court, but because he acted *judicially*. And in *Floyd v. Barker* (12th Coke, 23rd) also cited by him, this distinction is expressly taken—'A judge or justice of the peace cannot be charged for conspiracy for that which he did openly in court, for the causes and reasons aforesaid.' The two next cases cited by the learned gentleman, not only confirm the distinction we rely on, but illustrate its application in practice. These cases are *Barnadiston v. Soames* (2 Liv. 114), and *Ashby and White* (2 Lord Raymond, 938). In the first of these cases it was held, that no action would lie for falsely and maliciously making a double return to parliament. Why? Because the judges were of opinion that the sheriff acted, in that respect, judicially. In *Ashby and White* it was held, that for rejecting the vote of a person qualified to vote at an election, an action would lie against the sheriff. Why? Because it was held, that the sheriff acted, in that respect, ministerially. And this distinction is further recognized and acted on in the next case cited by the learned gentleman, of *Miller v. Seares* (2 Blackstone, 1141), where an action was held to lie against the Commissioners of Bankruptcy, for improperly committing a man for not answering satisfactorily. It was held to lie, because their office was considered executory and ministerial, and not judicial. Let me add to these authorities the case cited by Mr. Perrin, and commented on by the gentlemen on the other side, in *Greenvelt v. Benwell* (in Salk. 396; Lord Raymond, 467; and Cum. 77). The Court will find the judgment of Lord Holt given very distinctly in *Cummins*—'And that no action will lie against any judge for what he does judicially, and of record; but if a justice of the peace issue a warrant, and commit a party without cause, he may be punished, because the act is only ministerial, and the commitment only intended for process and not for punishment;' and he cites, from 12 Coke, *Nudigate's* case. He was a justice of the peace, and though he recorded a circumstance falsely, yet, as he acted as a judge, that is, judicially, no action would lie. Now, compare the cases. If *Nudigate* had issued a groundless warrant for any act of violence, an action would have lain against him, because

the act was ministerial; but when he acted judicially and upon record, no such action could be maintained.

“Thus, my lords, all the cases establish our distinction between judicial and ministerial acts, as well those relied on at the opposite side, as those cited by Mr. Perrin. But where is the distinction stated by Mr. Pennefather to be found? I have been unable to trace it in any of the cases; and if you examine the authorities from which he has endeavoured to infer such a distinction, I think you will join me in considering that his inferences are unfounded, and his positions untenable.

“And now having, I trust, established that which is, indeed, a familiar distinction to your lordships, I shall proceed to show you that the issuing of the warrant by the Chief Justice was a ministerial, and not a judicial act. I admit that the Judges of the King’s Bench are coroners and conservators of the peace throughout Ireland, and it is in this capacity of conservator of the peace that the present warrant was issued, or indeed could have been issued. None of your lordships, notwithstanding the dignity and extent of your judicial authority, could issue such a warrant, because none of you is a conservator of the peace throughout the different counties. But the conservator of the peace was, and is, a merely ministerial officer. In page 354, volume 1, Blackstone says, that his power consisted ‘in suppressing riots, and taking securities for the peace, and in apprehending felons and other malefactors. This would appear to be the full extent of the common law authority of conservators of the peace. The Court is, of course, fully aware that the constitution of justices of the peace is widely different. The power of electing conservators of the peace having been taken from the people, and vested in the crown, by the 34th of Edward the Third, chapter 1, they first got a judicial character, were empowered to try offences, and obtained the name of justices. (Blackstone, 350.) The justices of the peace are judges of a court of record—the conservators of the peace are not so. This power of conservator of the peace the Chief Justice of the King’s Bench holds in common with the Chancellor, the Master of the Rolls, and the other persons whom I have named; and if this be a good justification for him, it would be equally so for the Master of the Rolls, for he has closed in him the same authority in his ministerial capacity. Then was the warrant issued improperly, as it was, in itself, a ministerial act. For this I have the express authority of Lord Holt; his words are, an action will lie for improperly issuing a warrant, because the act is only ministerial,

and intended for process, not punishment, and I have the equally explicit authority of all the cases from *Windham v. Clue*, (Cro. El. 130,) to *Morgan v. Hughes*, (Second Term Report, 225,) and those cases which occur every day, in which actions are maintained against justices of the peace for issuing warrants without legal grounds, although those justices are judges of the very courts in which the offences specified in those warrants are triable, although they have jurisdiction over the offence and the offender, and although for their judicial acts in that very matter no action would lie. This, then, is a ministerial act, done by a ministerial officer, for which, whatever be the number and value of his other high dignities, he is responsible to my client.

“I shall now follow Mr. Pennefather in a few observations upon some of the other points which he has laboured in this case; and first, where he insists that this must be taken as a judicial act, because it is averred to have been done by the Lord Chief Justice; and as we have not traversed the fact of its being so done, and in order to sustain this proposition, he cited *Eton v. Southly*, from Walker. I shall dismiss the case by observing, that all it proves is, that an allegation ‘that A. B. having been possessed as a tenant at will,’ is a sufficient averment that he then was tenant at will—but we are not disputing upon averments in this instance. It is sufficiently averred that the defendant was Chief Justice, and as such, namely, by virtue of the office of conservator, which that dignity conferred on him, issued this warrant. Can it be seriously contended, that issue should have been taken upon the title the defendant chose to style himself by, when he issued this warrant? What would the jury have to try? Certainly something very immaterial—the appellation the defendant chose to be addressed by at that moment. But the question is, whether this be a judicial or a ministerial act. Now, can the nature of the act depend on the name or title of the actor?—Is the quality of the fact to be changed with the dignity of the doer? But, really, it does not appear to me that I should be at all justified in detaining your lordships upon this part of the case.

“The second point in Mr. Pennefather’s argument, to which I have to entreat a few moments of your attention, is that part of the case in which, without admitting the distinction between judicial and ministerial acts, he still acknowledged its authority, by the pains he took to prove the granting of a warrant to be a judicial act. He first insisted that no action would lie for unjustly issuing a fiat, and then he compared warrants to fiats. Now, it may be conceded that

no action would lie in the first case; but if warrants be fiats as process to bring the party in, then the authorities and cases in which actions have lain against justices of the peace for issuing warrants are all mistaken, and a discovery is made that by comparing warrants to fiats, the defendants would have been entitled to non-suit the plaintiffs in those actions—a mighty discovery, truly!!! But if this be a point of non-suit only for a Chief Justice, this absolutely would follow, that if this identical warrant had been issued by my Lord Mayor A. B. King, who is a magistrate of great dignity, and I presume entitled to some veneration from the counsel at the other side—if the Lord Mayor, who is also a presiding judge at the sessions, had issued this very warrant, an action might have lain against him, because it was ministerial, though to the extent of trying and punishing this crime, he is as fully a judge as the present defendant.

“It is contended that the superior quality of the Chief Justice alters the act into a judicial one—it becomes a fiat and not a warrant, and no action can be maintained; but there is, really, no similitude between the two; a fiat is only an order to the officer to make out a writ or process—a warrant is the process itself; the writ issued on the fiat must, of necessity, be returnable in the court out of which it issued—a warrant is not returnable at all, and it is intended to force in a party to any court having cognizance of the offence, within the territorial limit of the officer who grants it. In Blackstone, 294, are these words: ‘The warrant may be either general or special; general, to bring the offender before any justice—special, to bring him before any individual justice.’ So that this warrant is part of a case afterwards tried before the defendant, only because he chose not to send the plaintiff to the sessions. It has, therefore, no necessary connection with the Court of King’s Bench, nor indeed any other connection with that court, but what the defendant chose to give it.

“Next, the case of the *King v. White* (Cases Temp. Hard. 37) has been relied on. To prevent any controversy I have brought the book to read it. [Here Mr. O’Connell referred to the book, but it was thought unnecessary by the Court, and passed without debate.] Now, what does this case prove? Does it convert any ministerial act into a judicial act? Does it alter or qualify the authority of the cases I have mentioned. It proves nothing but what is familiar in every day’s practice, namely, that all officers of justice are under the control of the King’s Bench. Where complaints are made to that court of any magistrates or officers, if the fact be admitted, they

grant an attachment—if the fact be disputed, they grant an information to have it tried by a jury. In the *King v. Reilly*, (T. T. Rep. 204,) the King's Bench attached Mr. Reilly for calling a meeting of the county. Lord Earlsfort there lays it down, that the Court of King's Bench has a general control over all inferior courts and inferior officers, and the power of punishing them by attachment for misconduct; and it clearly follows, that an attachment might, upon these admitted principles, have been granted, if the constable had disobeyed the warrant of any other magistrate. Thus, the *King v. White* proves nothing but what was not denied, viz. the power of the Court of King's Bench to punish the misconduct of inferior officers as for a contempt of that court. The arguments drawn from the cases of flats do not apply; and if they did, they would prove too much, and are encountered by all the cases in which magistrates have been convicted on actions for issuing warrants. The capacity in which the defendant acted is a matter of law not capable of being tried by a jury, and not altering the nature of the act. That act was a ministerial act, which is not protected from actions, and not a judicial act, which is protected; and, lastly, this arrest upon those pleadings is a false imprisonment, for which the defendant is bound to abide the verdict of a jury.

"I have now, my lords, argued the case, and have only to add a word or two in reply to some general topics introduced by Mr. Pennefather—1st, he said that this was one of that class of injuries for which there is no remedy. He cited the case of *Lecaux v. Eden*, but it does not prove, by any means, what he would wish to establish. The aggrieved party here, though he did not get immediate redress, was told that an appeal to the Court of Admiralty would be efficacious. Mr. Pennefather talked of a case of felony in which the party had no redress by the recovery of damages, but it could not escape observation, that if he was not remunerated in money, he would in the punishment of the offender. He commented upon the expediency of suffering a private injury for the purpose of effecting a public good; but though I admit, most cordially, the general principle, yet I deny its application in the present instance. He has bestowed some words upon the necessity that existed for the defendant's interference in the case of the Catholic delegates. I do not see this necessity. There were many persons who could, with the greatest propriety and delicacy, fill his place on such an occasion. But if, as Mr. Pennefather would contend, the Chief Justice acted in his judicial capacity in granting a warrant against my client, see to

what a predicament he has been reduced. He has first judged my client ; secondly, resorted to the mockery of a process to bring him to trial ; and, thirdly, judged him again ! And what would, my lords, be the consequence of suffering this extraordinary and monstrous power in a chief justice ? Why, my lords, if my Lord Ellenborough, the English Chancellor, or the Master of the Rolls, had conceived any malice to any of your lordships to-morrow, they might issue their warrants and drag you from your bench to answer a fictitious charge before them, and do all this, subjecting themselves to no penalty !

“ Mr. Pennefather has, lastly, told us, that the subject could resort to parliament, in the event of any unwarrantable proceedings on the part of the Chief Justice. Why, my lords, what a mockery this is ! If the Irish peasant has been aggrieved by a chief justice, it is a consolation for him to have the liberty of making a miserable passage to Holyhead, then walking barefoot to London, and, lastly, stating his wrongs to the imperial parliament, in a language unknown to them. My lords, I am confident you cannot—from a due consideration of the authorities I have cited, and the reasoning that has been advanced on our behalf—decide against us.

“ The Court signified that judgment would be given on Tuesday.”

However, at the sitting of the Court upon the next day, Lord Norbury announced that himself and brother judges were so far from having made up their minds on the point at issue, that they “ required more argument from counsel,” and appointed the succeeding Tuesday (that day week) for the hearing.

Upon the day last mentioned, one counsel was heard at either side. During the argument the following incident occurred :—

Mr. Justice Fox, after several remarks on the case made for the defendant, observed, that “ much of the difficulty that existed in his mind would be removed, had the information on oath, upon which the defendant had acted, been set forth ; but it was designedly omitted, and a suppositious case put for the purpose of inducing that Court to decide upon speculative matter. Two great principles were put in direct conflict ; first, that a judge was not liable to action for judicial acts ; and, secondly, that the subject should not be arrested contrary to law, which absolutely required information upon oath.

“ Lord Norbury wished to hear the whole of the arguments before he would give any opinion.

“ Mr. Justice Fox said he had given no *opinion*, and any insinuation of the kind was uncalled for and unnecessary.

“ Judge Fletcher thought that the right of any one of the four judges to propound his doubts to counsel could not be disputed. It was a conscientious duty upon them to suggest those doubts, that counsel might remove them if they could; he wished to know for what other purpose counsel attended there, and whether argument was for those who might have already made up their minds, or for those who still entertain doubts.

“ Lord Norbury said he had thrown out no insinuation of the kind alluded to by his learned brother. He had just wished to say that he should reserve his opinion till the Court pronounced judgment, and then would give it, as he was capable of doing.

“ Judge Fletcher said they were all capable.”

And so the squabble ended.

The impertinence of Lord Norbury was not favourable to the success of his views on the matters before them. The species of personal insult he thus wantonly and incautiously flung upon his colleagues on the bench was calculated to create, in their minds, feelings to counterpoise that overweening consideration for a brother judge assailed, which had hitherto made them neglectful of the endangered rights of the subject. However, notwithstanding this escapade, and the feelings it may have occasioned, they concurred, for the present, with Lord Norbury, in deferring judgment until the ensuing term.

The excitement of the period rendered every meeting of the Catholic Board at this time interesting. We therefore copy largely from the reports, such as they were then furnished by the Dublin newspapers, of those meetings.

Mr. O'Connell's part in the agitation was becoming every day more and more difficult. Fierce passions had been aroused by the events of the elections; and not only was there the exacerbation of feeling between political opponents, but distrusts, jealousies, and heats of all kinds were rife among parties

who thought and had hitherto acted together in political matters.

In the tumult of these feelings, there was considerable danger to the popular party, that the great objects for which they had been labouring would come to be forgotten, or else be wilfully sacrificed to private resentments. It will be seen, in these speeches of Mr. O'Connell at the various meetings of the Catholic Board, from early in November to the end of 1812, how earnestly he laboured to avert these disasters, and once more combine all for the common good. •

On the 5th December, 1812, he rose in the Catholic Board to move for an aggregate meeting, pursuant to notice given. He commenced by alluding to the stormy character of the meeting which immediately preceded that in which he was speaking, and to some misconceptions as to the manner in which the voting had been taken in the divisions that had then occurred. As we have obviated the necessity of this explanation, by recording the proceedings alluded to in their true sense, it will be unnecessary to give this part of his speech.

“ But for the impossibility of getting a sufficient hearing, he had intended (at their last meeting) to have proposed this resolution for an aggregate meeting, as the period at which it could have been serviceable was so fast elapsing. The purposes for which it was to be called were : first, to redeem their character (if it could be redeemed after their own acts) from the charges of entering into petty private squabbles, while the enemy were absolutely in our country. He did not think it necessary to reserve the name of Christopher Hely Hutchinson for moments of tranquillity, when every instant menaced the country with the loss of the services of that excellent man. He dreaded that it was already too late—the moment he was speaking should have been the moment of the aggregate meeting. To compliment the family of Hutchinson and show Catholic gratitude, was the second object of such a meeting—to complain that the city of Cork was misrepresented. Mr. Hutchinson's manly and generous support of the Catholics had earned him the bitter hostility of the government; every engine was set in play by them—every retainer of the Castle, down to the lowest contributor to its

amusements, was sent off to poll against the Man of the People's choice and heart. The pleasures of our paltry Irish court were suspended, *Casino* stood still, and every creature was sent down, even the footmen were packed off in coachfuls.

"He thought that on such a subject he would have been heard with patience; and indeed he had been offered *three words* by one gentlemen, and *ten minutes* by another, but this latter generous offer was not seconded. Not, however, to lose more time, he would pass by all that he had just reason to complain of and deplore, and urge that immediate steps should be taken to assist the Catholics of Cork in procuring redress for the injury done them by the exclusion of Mr. Hutchinson from parliament."

A gentlemen present having mentioned that the Hutchinson family had declined some offers made to them,

"Mr. O'Connell said, that the explanation of the gentleman who had first spoken, only proved that the Hutchinson family, with all their characteristic dignity of feeling, would not permit the expense of a petition to be defrayed by public subscription, where any member of that family appealed, in his own right, to the House of Commons for justice. But the Catholics of Cork were freeholders, and they could, in their own right, petition the House of Commons against the return of the presiding officer. It would be proper, therefore, to have an aggregate meeting, for the purpose of showing that the Catholics of Ireland are ready to bear a proportion of the expense, in the cause in which the whole country was as much concerned as the freeholders and freemen of the city of Cork. With that view he would move—

"That an aggregate meeting of the Catholics of Ireland be held at the little theatre, Fishamble-street, on Tuesday, the 15th day of December, instant, to take into consideration the measures necessarily connected with our petition, and to afford some proof of the Irish sentiment towards the Honourable Christopher Hely Hutchinson; and that Mr. Hay be requested to write to the secretary of the Catholic Board, in Cork, to express the strong personal anxiety of every individual member of this board, that the Catholics of Cork should use the most strenuous exertions to procure the success of a petition to parliament against the persons who have, for the present, excluded, from the presentation of that city, a man distinguished among the first of Irish patriots, the Honourable Christopher Hely Hutchinson."

After some debate on the shortness of notice, the resolution was passed; and some other matters having been also disposed of,

Dr. Dromgoole revived the subject of the vote of censure; and in an able speech contended against its impolicy, concluding with a motion to the following effect:—

“Resolved—That, in order to meet the public and private calumnies which the enemies of religious liberty have circulated, we feel ourselves bound to declare, that the resolutions of last spring and summer, respecting candidates for parliament, could not be, and were not intended to enjoin or sanction the violation of promises entered into at any time previous to their adoption.”

Mr. O’Gorman recommended the adoption of this resolution.

“Mr. O’Connell said he was anxious to second the motion, as well because he concurred most heartily in every thing that fell from his respectable friend, Dr. Dromgoole, as from his wish to take at length an opportunity of delivering his sentiments distinctly upon the subject which had caused so much of agitation amongst the Catholics themselves. One would imagine that we really were at a loss for enemies, so sedulous did we appear to excite them amongst ourselves. One would suppose that Ireland was not sufficiently divided and distracted already, but that division and dissension in the Catholic board could be afforded in addition and as a pastime. Indeed, the progress of this unfortunate feud in the board might have been arrested at a certain period. Perhaps, I draw upon my mere vanity, when I indulge the dream that I could sooner have terminated it; but full sure I am, that I ought to have sooner endeavoured to do so, but I was restrained by motives which, upon reflection, I am unable to justify.

“It is due to candour to state them:—in the first place, it was impossible not to see, that your resolution, although dignified with the appellation of an abstract proposition, was intended first, and principally, not altogether, for a single individual. I do not say that it was the design of the movers to use it as the instrument of particular vengeance; they have disavowed any such design, and we are bound, as we are ready, to believe them. The effect, however, was precisely what I have stated with the individual thus alluded to. I mean Mr. Lalor; I am proud to avow my conviction. I have the pleasure to be his intimate friend; I have the honor to be his kinsman; I boast of his friendship, because I have long known his worth in all the relations of private life, and in our public cause. I have seen him in this board, ever ready to adopt the most manly, spirited, and honourable course; he never spoke amongst us of entering into any timid compromise with our enemies; he never shrunk from

danger. When we were menaced with any persecution, he was of the first to throw himself forward; his spirit rose with our perils, ay, and his determination increased with our difficulties. I loved him; because I saw that his views were confined to the good of his country—that he had not, and could not have any personal motive—that, with generous heart and open hand, he contributed to all your expenditures, and that his existence was ever at your service. I saw that every vote he gave in your board or committee, was precisely that which struck my humble judgment as the best calculated to serve your interests.

“With those public and private qualifications, I was, and am proud of obtaining the friendship of my respected relative. And I now condemn that species of mistaken delicacy, which prevented me at an early stage of this business, from taking an active part in opposition to your resolution; I imagined that my opposition would be attributed to the zeal of private friendship, and not to that which, in truth, suggested it—the firm conviction of my conscience. There was another motive which also contributed to paralyze my resistance to the resolution of last meeting—I am ashamed to have yielded to it for one moment—it was this: Mr. Lalor's vindication, which has appeared in the public papers, was well known to have been written by me; it was known that I had written it, merely in the exercise of professional skill, and for the ordinary inducements of professional exertions. I did not feel myself at liberty to refuse drawing it in that capacity, but in none other would I have consented to do so. I may be much mistaken, but I thought that I ought not to lend myself personally to any part of that vindication. With all the facts (except a single one of no moment to the general question,) I was a total stranger; and in the controversy as to the then pending election, if I were *personally* to have interfered at all, it would most certainly have been in favour of the candidates who have succeeded. Having, however, once acted as Mr. Lalor's counsel, I am ashamed that I shrunk from the base calumny which might have imputed to me the sentiments of profession, in resisting the general vote of censure—it was unbecoming of me to yield to so paltry and pitiful an influence of delicacy. You well know whether I am a man likely to be influenced in my conduct in this board, by any other motives than those of honour and of conscience. I speak of myself with all humility, yet I own I entertain the expectation that my countrymen in general require not from me any defence against the imputation of mean or selfish motives; yet they were these false delicacies that

prevented my opposing the resolution of abstract censure, as it has been called, determinedly and upon principle.

“ For I could not see what right or authority you had to pass any such resolution. If Mr. Lalor had forfeited the confidence of the Catholics of the county of Tipperary, they might have declared that he was no longer to be a manager of their petition, as the Catholics of Newry did with respect to Mr. Jennings, and from that moment he would have ceased to be a member of this board : but when you passed a vote of censure, you clearly travelled out of your authority, and into the hands of the Attorney-General—you abandoned, for a moment, the conduct of your petition, for which alone you are appointed, and you committed yourselves to the tender mercies of your friends in the King’s Bench. It is, therefore, fortunate that your resolution passed, as I am ready, if necessary, to show, irregularly, and after having been, in point of fact, negatived. I do not say this to reflect upon, or to diminish the triumph of those who have succeeded in that vote ; I introduce it simply to show you, that we have a valid defence against any attack of the Attorney-General upon this ground—an attack which, I am convinced, he would have already commenced, but that he and your other enemies imagine that you are about to do their work for them, and to destroy yourselves by your own dissensions.

“ There is an unhappy spirit broke out amongst us. It is the inevitable consequence of turning this board into a species of mock tribunal, and destroying individuals with an axe, which you call ‘ abstract censure.’ In plain truth, how is it possible we should judge with discretion or discrimination upon the motives that may impel private individuals ? Their neighbours in their respective counties may be able to judge of them, and they certainly are able to punish them by exclusion from this board. But how are you to summon witnesses or to examine them, to form any estimate of facts ? I will tell you what the witnesses are—public report—a liar to a proverb—and anonymous calumny—an assassin upon record. I myself, for example, have no less than five anonymous letters lying upon my table, which charge my estimable friend with every atrocity. I know of my own knowledge, that it is simply impossible that some of them should be true—I am convinced they are all false. Yet, how many members of this board—how many excellent and truly honest men may not be influenced in their decision of Mr. Lalor’s case, by communications which may have reached them in a similar way !

“ In truth, it would be most dangerous for us to usurp the power

of judging of facts, which we want the means to investigate. But my great objection must be repeated: the discussion of questions of this nature, affecting particular individuals, must necessarily tend to excite personal animosity amongst us, and to produce irritation and rancour. I appeal to you, whether it has not already had this effect. Indeed, I need not make the appeal; there is not a man in the board who has not seen, with regret, a spirit of violence and of hatred—the very genius of personal malignity settling here, where all was peace, and unanimity, and cordiality. And have we not enemies enough, and to spare? Have we not Lord Manners and His Grace of Richmond in front, whilst the Attorney-General and the Dublin Grand Jury hang on our rear? Have we not on our flank, the bigoted Liverpool, and that Castlereagh, long exercised in every dark stratagem of ruin, who would, for emolument, barter a seat in heaven, if he had any interest in that country. At this moment bigotry is awakened from the slumber into which Protestant liberality, in Ireland, had cast her—bigotry, at the command of power—bigotry, lured by the beloved voice of interest, has aroused in every part of the land. The first in station and in rank set the example of obedience to the command which they themselves issued. Every little village bigot in the land is animated with the hope of discounting his despicable malignity into the pay and plunder of some office. Mark the active rancour of their hostility: Hutchinson—the patriot Hutchinson—is opposed in Cork for being your champion. The opposition of the Castle stoops to all the meanness of personal animosity; it disgorges its domestics and menials, from the highest to the lowest, against him; the refined amusements of our refined government are suspended—even Cassino stood still, and the tea-table was unattended—every body was absent—every body was sent to oppose Hutchinson, because he was the friend of the Catholics.

“The clergy, who sometimes have a most admirable instinct in discovering what is for their interest here, as well as hereafter, are many of them active against us; they are easily marshalled under the auspices of a right rev. prelate of the Established Church—the son of popish parents—the brother of a popish priest, who has published a pompous pamphlet against us, of great promise and pretensions, but of little performance, save what it effects by the very difficult and novel process of repeating calumnies a thousand times refuted, and abjured, and contradicted upon oath, by every Catholic in Ireland. I should be content if we were at leisure to investigate the worthy prelate's motives, or that we even had an opportunity of printing, in

the same shape with his pamphlet, another literary *morceau* of the learned and pious divine. It was, I believe, his first attempt—a farce, called the ‘Generous Impostor!’—oh, the generous impostor! The theatrical dictionary informs us that this farce was damned; a friend of mine who happened to have seen it, assures us that there was a warmth of expression in it—he would not for the world call it an obscenity, which in some quarters would almost atone for its dulness, but it was too dull even for the vicious taste of a London audience to preserve it for its seasoning. But, perhaps, this pamphlet is as great a farce, in the Fitzwilliam administration, as the silent exertions, if not the pamphlets of the divine, were at the other side—oh, the generous impositor!

“Look to the counties—see how you are calumniated. I have already more than once had occasion to remark, the principle of this administration is falsehood; this principle betrays itself in all its acts; it, therefore, unblushingly circulates its calumnies against us, with the most thorough conviction of their total want of truth. Where it cannot procure the direct assertion of an untruth, it is content with an insinuation containing the same meaning. Thus, for example, a fraction of the county of Dublin Grand Jury could never have dared to charge the Catholics of Ireland plainly and directly with high treason, but they have had the meanness to insinuate it covertly and in bad English. We should thank them little for the prudence which taught them to avoid the direct assertion, when we meet the depravity that allowed them to make this oblique and unmanly attack on our characters. Where is the individual amongst them that would venture to make the foul and false insinuation of disloyalty to any gentleman of this board? and if there were any individual so rash as to use the insinuation, I know the chastisement he would meet with and receive. But, as a body, we are calumniated with safety, because we are idly busied in dissension and division amongst ourselves.

“Take another example—one of direct falsehood—what Shakspeare calls ‘the lie direct;’ and not as in the case of the grand jury, the ‘lie by equivocation.’ An advertisement has appeared in the Dublin papers, stating that a meeting of the Protestant freemen, freeholders, and inhabitants of Dublin had taken place. Now, this means, and was intended to mean, a public meeting, at which every such Protestant might have attended. But was there any such meeting? There certainly was not. Every body knows there was not. It is a falsehood—false as God is true—a falsehood signed

with the classic name of Abraham Bradley King, Lord Mayor, but not the less unfounded. The noble, grand Lord Mayor just certifies an untruth. He might, and probably had a parlour or dining room meeting, but it was no more what he says—a meeting of the Protestants of Dublin, than it was a meeting of the Jews of Frankfort. This untruth, however, is of advantage to our enemies. Why? Because we have left it uncontradicted—because we have been so busy in quarrelling with one another about Mr. Lawless's abstract censures, that we have not had leisure to mark with our public contempt the scandalous and impudent falsehoods with which we are assailed.

“But let us return to our own affairs. Let us return to the consideration of the state of the Catholics' rights. Let us make peace amongst ourselves and carry on the war of words only with our enemies. All our vigilance, all our zeal, all our activity, are necessary for our protection. We cannot afford to squander or exhaust any part of them in a quarrel amongst ourselves. You have passed your vote of censure—be content with in—allow us merely to qualify it, by excluding the possibility of any person being deemed to come within it, who ought not to do so. Those are persons whose faith was pledged previous to your resolutions of last spring and summer. You admit that such persons are not the object of your censure. All we require is, that you should declare the fact to be so. If your sword afterwards be wielded by private malignity out of this board, the declaration we require will serve for a shield, co-extensive with your censure, to those who are entitled to wear that protection.

“I can assure you, that my esteemed friend (Mr. Lalor) desires no other, nor would any man be his friend who sought anything further. All he desires is for the honour of the board itself, that it should not be said that you censured him for observing the promise in which he had pledged the honour of an Irish gentleman. By this means you will vindicate the board from a calumny, not less actively circulated for being unfounded, and you will restore that harmony and good temper amongst us, which are so necessary for our preservation at this perilous junction. I do, therefore, conjure, gentlemen, in the name of that afflicted country, which has so many ardent and affectionate votaries in this room, to waive all matters of form, and let us now, at once, adopt a resolution of admitted truth and necessary conciliation. Let us think that poor Ireland, goaded and distressed, wants all our attention. Let us sacrifice every angry

feeling—turn from the past with the temper of forgiving kindness, and to the future with all the firmness which will result alone from unanimity in our own body; continue divided and our cause is lost for ever.”

This speech is reported to have made a powerful impression.

The result, after some explanatory speeches from persons who had supported the vote of censure, was the unanimous carrying of Dr. Dromgoole's resolution.

The aggregate meeting, of which Mr. O'Connell had given notice, was definitively fixed for Tuesday, the 15th December, on which day it accordingly took place in Fishamble-street theatre.

The first six resolutions here passed bore reference to the preparation and presentation of the Catholic petition to both houses early in the next session; and also to the preparation of an address to Mr. Hely Hutchinson, expressive of Catholic feeling towards him.

The seventh, eighth, ninth, tenth, and eleventh referred, in indignant terms and with strongly worded contradictions, to allegations in recent addresses of grand juries (city of Dublin, &c.) charging the Catholics “with disaffection—with entertaining disguised and secret views, and with an intention to obtain a Catholic ascendancy.”

Then followed thanks to Sheriff Harty, for his conduct in his office; and, as usual, to the Protestants who had attended, in particular to Counsellors Finlay and Walsh, for their speeches.

On the resolution respecting Mr. Hutchinson being put from the chair, there was, as the newspapers inform us, “a loud and general call for Mr. O'Connell, and when he came forward he was greeted for several minutes with the most enthusiastic plaudits.”

Mr. O'Connell commenced with a very warm eulogium on Mr. Hutchinson, and dwelt at some length upon the loss of his election. We take up the report of his speech, where he commenced to deal with the recent exhibitions of their enemies.

“The meetings in some of the counties where resolutions, hostile to us, have been passed, cannot properly be called *Protestant*

meetings. I say *properly*, because, although the parties who were there prominent assumed the denomination of Protestants, they were, in reality, of no religion at all, except, indeed, in so far as might give the means of carrying on a base traffic, and turning the profession of it into money. I shall not think it necessary to name the people to whom I allude, for I am quite sure you will agree with me that their names are of no very high importance. If one instance might be given, and one as insignificant as need be, there was John, Earl of Aldborough. (Hear and laughter.) His lordship was very active in defence of the church, and he was by no means to be blamed; on the contrary, he deserved the greatest commendations for having come forward so boldly, and offered himself as a martyr for the good of the church! Such men honoured the cause they supported (Laughter), and the cause, in its turn, honoured them just as much.

"In Dublin, the sixteen grand jurymen who had signed the resolutions against the Catholics might have been bought (he was going to say might, perhaps, be sold) by those worthier seven who have refused their signatures. But he was not going to waste time with the *men*, it was with their resolutions and petitions that he had more properly to do, although, in truth, it was little better than a waste of time to deal even with them. (Hear, hear.)

"These resolutions and petitions displayed a glorious continuance of the system under which the ministry, which had fostered their rankness, had begun its career—the same barefaced and impudent falsehood—the same meanness and cunning. To that system the majority of one, which they had obtained last session in the House of Lords, was solely attributable. (Hear, hear.) They had, in their official paper, in the *Moniteur* of the Ministry, published a falsehood—a foul and calumnious falsehood—imputing to the Catholics a conduct disgraceful and mean as their own; and by this had they operated upon the unsuspecting minds who would otherwise have voted with what turned out to be the minority. To the same base system recourse was had now. The *London Courier*, the same paper I have alluded to, has, in its last number, a paragraph, stating that the 'Third Part of the Statement of the Penal Laws, aggrieving the Catholics of Ireland,' had been received in London; and that it contained a full and faithful account of the views of the Catholic body. They already knew that this was a pure and mischievous falsehood; the so-called 'Third Part of the Statement, &c.,' was a production of some of the hired writers at the Castle, and was only

to be found in the shop of Jack Giffard, or some of his compeers in corruption and bigotry.

“But to return to the resolutions of the meetings. They had brought forward various accusations against the Catholics, and to one of them I, for one, am perfectly ready to plead guilty. They have said that what we once asked as a boon and as a favour, we now demand as a right; and they say well. We do so. (Hear, hear.) I would take Emancipation in whatever shape it came; if it was even held out as are the alms of a beggar, I should accept it. But should I for that the less consider it as a right which was my due, and which ought to have been obtained by insisting on it as such? Certainly not. I am glad from my soul that they admit this—that they allow we consider it as a right. For when they allow that we demand it as a right for ourselves, do they not likewise allow that we grant it as a right to others? and they themselves do away with the foul calumny, that our religion leads us to believe that no one should have equal right with professors of it. If religious liberty is *right* to one, it is a right to all. When we, therefore, say it is a *right* to us, we allow that the same right belongs to the Quaker, the Presbyterian, the Dissenter. We do not ask it as relying on our numbers, our strength, or the wealth of our body; we come forward on the broad principles, that political equality is the right of men of all religions; and this our enemies allow; let them not, therefore, shrink from the consequence.

“But if they have said the truth in this instance, they have amply compensated it in others by the most unblushing falsehoods. They have thrown out imputations in their resolutions which, I am sure, they themselves are conscious of being grossly calumnious, and which they would not dare, even in terms the most distant, to insinuate in private life to any Catholic gentleman in Ireland.

“They have said that the Catholics are disaffected. Yet how often have these Catholics sealed their loyalty with their blood! If the Prince Regent has forget Ireland in his speech, his enemies might remind him of her by the respect which they pay him in consequence of the resources he derives from her. Did not Vimiera—did not Talavera and Badajoz give proofs of the loyalty of the Catholics? at Salamanca, was it not felt in the terrors of rout and defeat by every flying Frenchman? It has been amply proved. And if Britain would know the benefit she derives from the proof of it, she may have an idea from but one solitary instance. Before the late removal of part of the Penal Laws, I myself had no less than forty relations

in the military service of France, from an inspector-general of infantry down to a lieutenant ; I have now none ; but in every victory which graces the military annals of the British empire, I have to tremble in perusing the Gazette, lest I meet among the lists of the honourable dead, the name of some dear and respected relative. Sixteen are at this moment serving in the Peninsula. If such be the case only in one instance, and resulting only from the removal of a part of those laws, what might not be expected to the interests of Britain, were the same benefit extended to all, and the hopes of our youth allowed, in every instance, to be bound only by their merits ?

“ They accuse us of a wish for Catholic ascendancy. Their inconsistency in the accusation is glaring and ridiculous. They first blame us for asking Emancipation as a right ; and they then say that we are desirous of a Catholic ascendancy. Does not the demanding Emancipation as a right imply that an equality of privileges is the right of every citizen, be his religion what it may ? And does not the wish for a Catholic ascendancy imply, that we think no man ought to be on an equal footing with the Catholic ? The absurdity is manifest : they accuse us of saying that an equality of civil privileges is the right of every citizen, of whatever persuasion ; then they accuse us of saying, that there should be no such thing as an equality of privileges ; and they condemn us for both.

“ But their absurdities shall not be the ground on which we shall defend ourselves. The accusation is contrary to our feelings—to our opinions ; we have already expressed our disapprobation of any connexion subsisting between government and the Catholic prelates ; and I am free to say, that there is no event which I should consider more fatal to the liberties of Ireland than what they have called a Catholic ascendancy. Our prelates would no longer be the respectable characters in which we now revere everything that is virtuous or respectable ; they would, at least, have more temptations to become otherwise ; and whenever they should degenerate into the tool of the minister, then should I consider the doom of Ireland as sealed for ever.

“ There is, I am sure, no man of education who hears me, that does not join in the opinion that I have offered ; and there is none who, even in the warmest moments of enthusiasm for the prosperity of those professing the same religion with himself, that can be charged with having ever uttered a word inconsistent with it. I do

not refer our enemies to the resolutions of our meetings; but let them go to the most incautious speech that ever was delivered at any of them—let them scrape together words uttered in the heat of debate, even then I defy them to find a sentence that will bear them out in their accusations. It is not necessary for them, after being foiled in the search, to betake themselves to conjecture, and to build a conclusion, on their own suppositions, of our wishes; for well they know, that we have too much of Irishmen about us to conceal them, did we entertain them.

“So far, indeed, from wishing for ascendancy, we do not desire that we shall be necessarily taken into any office or political employment whatever; all that we insist upon is, an enlargement of the prerogative of the crown, by which his Majesty may be allowed a wider range in search for virtue, talent, and respectability, among his subjects, in selecting the offices necessary in his government.

“There is another circumstance of much importance, which I think it necessary to call your attention to. Every body recollects that the last parliament was pledged—solemnly pledged to the serious and immediate consideration of our claims. The present parliament is completely bound by the promise of the former; it is still the imperial parliament, though a few, and very few, indeed, of the persons composing it have been changed; I should hope it will recollect this; it would be a most truly gross and miserable chicanery if it were to attempt a recantation, knowing, as we do, that not even the whole of the new members amount to near the majority, which had the wisdom to decide on giving us a hearing. There is a solemn and deliberate treaty—a direct and unequivocal pledge; it is true, we have known treaties violated; and it is, unfortunately, full as well attested, and that to our own knowledge, that pledges have been left unredeemed. Let them recollect the terrible confusion that ensued when a former pledge was revoked. I shall quote an authority for them, and one which they will be likely to respect, that of Sir Lawrence Parsons, now Lord Ross, as to the probable consequences which he thought were likely to result from retracting that pledge—consequences far more dreadful than I shall either look for or suppose.

“When Lord Fitzwilliam came over to this country as chief governor, he gave a pledge for the repeal of the penal laws, when by one of those changes, not unfrequent in the Pitt administration, the pledge was left unredeemed, and that patriotic earl was recalled. When the subject, however, came before the House of Commons, Sir

Lawrence Parsons delivered his sentiments, and we have those remarkable expressions in the report of his speech. It is impossible to assert, that it gives precisely his words, but if any report be correct, I should suppose this to be, for it seems to bear great marks of care and attention. The report states, that Sir Lawrence Parsons said in the House of Commons, 'if a resistance to any thing would be productive of evil consequences, it was that against the wishes of the people, and the prospects which have been held out to them; that if the demon of darkness should come from the infernal regions upon earth, and throw a fire-brand among the people, he could not do more to promote mischief.' I hope some one will remind him of this part of his speech at the King's County meeting, which I hear he is to attend to-morrow. He continues, 'he had never heard of a parallel to the infatuation of the minister;' he may see one now; 'and if he persisted, every man must have five or six dragoons in his house.'

"And it was true; for in many houses it was necessary for the owners to have five or six dragoons, and the whole country was thrown into confusion. I hope and trust that no such consequence will ever again occur, though sure I am that such is the desire of the British minister. He wishes (to make use of the words of Christopher Hely Hutchinson) that *you should draw the sword, to afford him an opportunity of throwing away the scabbard*. Certain he was, that at this very moment, there was a foul conspiracy to draw the warm-hearted, but unthinking people of Ireland into a sham plot, to give an opportunity of wreaking vengeance on her dearest sons.

"Here he must warn his countrymen to abstain and shun, with the greatest caution, every inducement which might be held out to them for disturbances similar to these he had alluded to. Nothing would more thwart the progress of their cause; nothing, he suspected, could, for that reason, be more satisfactory to the ministry, than just so much of it as would give a pretence for a suspension of the Habeas Corpus act, and some other violences of the same description, together with a total refusal of the claims of the Catholics. Ireland had already been taught to beware; her lesson had been stamped in letters of the best blood of her children, and assuredly now she would avoid the snare which was intended for her.

"That such was the wish of certain persons in power, he could not doubt. Keegan's plot was not yet to be forgotten; occurrences of the same kind had been discovered in Kilkenny and Limerick. What, too, was the reason that the garrison of Dublin was under orders to

be in immediate readiness to march? Why were the matches kept lighted? Why preparations made for attack or defence? Was it not to inspire credulous people with the idea that there was danger of an insurrection; and to induce others, who thought their wrongs almost called for it, to believe that they might soon hope to be joined by others, as injured and more determined than themselves: keeping alive, on the one side, the fire of hatred, and on the other, the desire and hope of revenge.

“But the people of Ireland have too much good sense to be misled by such phantoms, by such paltry contrivances. They see that a pretext is only wanting to crush them and their claims for ever, and cancel the bond in the best blood of their country; and they despise the nefarious attempts that are made upon them. They feel, too, that their cause is advancing; nothing can prevent its progress. Ireland, in the meantime, is tranquil, and awaits the result with confidence and hope.

“The Prince Regent, in his speech from the throne, alluded to the disturbances in England. What a pity that he had not a Professor Von Feinaigle to recall to his recollection, that he had five millions of peaceable subjects in Ireland, who bore their oppressions with fortitude, and who could not be goaded into disloyalty, even by the foul and false calumnies which were heaped upon them. No; they had proved, and they would continue to prove, that the depraved and contemptible fabricators of those tales had mistaken their aim, and that they could no longer practise upon the credulity of their intended victims. How much it is to be lamented, that his Royal Highness had not some person to remind him of Ireland; and to point out the contrast which so strikingly exists between the quiet and profound peace which reigns in it, and that tumult in the other island which he thought it proper to notice in his speech.

“I shall now conclude, intreating your pardon for having trespassed so long upon your time, and returning you my grateful thanks for the many marks of your favour which you have been pleased to confer upon me; and particularly for the attention and kindness with which you have heard me this day. I also express my most entire concurrence on the resolutions which you are about to adopt. (The whole of this speech was received with the most marked applause. Mr. O’Connell was frequently interrupted by the cheering, and the acclamations continued long after he had ceased.)”

Early in 1813, the Catholic Board set about taking the

necessary steps for pushing, with vigour, the agitation of their cause during the approaching session. At their first meeting for the year (upon the 16th January), the question of appointing delegates, to accompany Lord Fingal to London, was brought forward, and Mr. O'Connell urged their immediate appointment, as "the events of even one week might be very important," Mr. Lawless, however, opposed any immediate step, and succeeded in postponing it for two meetings; when, on the 29th January, the following were selected (by ballot) to accompany his lordship:—

Randal M'Donnell, Esq., Owen O'Connor, Esq. (O'Connor Don), Sir Francis Goold, Baronet, J. J. Burke, Esq., of Glinsk, Peter Bodkin Hussey, Esq.

At one of these meetings Mr. O'Connell drew attention to the following matter. He stated—

"That such was the deplorable state of ignorance in which the people of England were kept with respect to the real circumstances connected with the Catholic cause, that a petition had been resolved upon, by the Dean and Chapter of Worcester, against the Catholic claims upon the sole ground of that ridiculous fabrication, entitled 'the Third Part of the Statement of the Penal Laws,' which had been the joint production of one of the young men at the *Patriot* newspaper office, and of another Castle salaried scribe, who was well known, and which was so gross a fabrication, that it was astonishing it could impose on any men.

"Still, however, with the assistance of that part of the English press which was paid for deceiving the people, and so paid, let it be remembered, with their own money, the cheat had passed very generally. He thought it highly expedient that some means should be adopted to show the people of England how they were deluded."

Michael Fitzsimon, Esq., immediately gave notice of a motion for "a formal disclaimer to be made by the board, of the work in question."

A letter was received from Mr. Jerminham, one of the secretaries to the English Catholics
 "touching the general question of Emancipation. This letter seemed to intimate some intention

on the part of the English Catholics, to accept of terms of a qualified nature from ministers, and to put forth a suggestion that it would be for the advantage of the general cause to suffer the English Catholic petition to be discussed before the Irish.

“ Upon both features of the letter much interesting discussion took place, and the result was the adoption of the following resolution, which we think (continues the journal that gives the account—the *Freeman*) a most appropriate answer to our Catholic brethren at the other side of the water.

“ ‘ Resolved—That on reading Mr. Jermingham’s letter to Mr. Hay, we do unanimously agree, that Mr. Hay be directed to write to Mr. Jermingham, in the most respectful manner, intimating that we have no communication, whatever, to make upon the subject of that letter.’ ”

“ This resolution, we believe, sufficiently shows that there is no identity of interest; or at least views, between the English and the Irish Catholics; and that the latter shall never consider themselves bound by the terms of any *pusillunimous capitulation* which the former may take upon themselves to make.”

• The long pending case in the Common Pleas, *Taaffe v. Chief Justice Downes*, was, early in February, 1813, decided against the Catholics, by the majority of Lord Norbury, Justices Johnson and Fox, to Mr. Justice Fletcher, who delivered an admirable judgment for the plaintiff.

Another matter of great interest came before the Courts in the month in question—the trial of Mr. Hugh Fitzpatrick, printer and publisher of Mr. Scully’s “Statement of the Penal Laws,” for a libel alleged to be contained in a note to that work.

• The libel, as alleged, was in imputing to the government the fact of having caused a sentence of death to be carried into execution upon a *Catholic* farmer, of the county Waterford, named Barry, in the year 1809, notwithstanding that his innocence had come out in the interval after his conviction.

• During the course of his opening speech, the Attorney-General, Saurin, remarked that there were evident indications that the “Statement of the Penal Laws” came from a legal hand; and that its anonymous author, though safe from punishment, ought not to be so, from remorse for his criminality.

Mr. Scully rose, in open court, and challenged the Attorney-General to a fair and impartial trial of the facts in the allega-

tions alluded to, and declared he would, if the challenge were accepted, at once reveal the author's name.

The Attorney-General said he "stood there to prosecute a libeller, and not to defend the government."

"Then (said Mr. Scully) you evade the offer, and decline this public challenge in open court?"

No answer was attempted, and the case went on.

During its progress, Mr. Burrowes Campbell, who had been counsel for the unfortunate Barry, was examined by Mr. O'Connell—reference being made to an affidavit of the accused, stating the insufficiency of notice given him of his trial, and the absence of material witnesses.

Mr. O'Connell asked the witness—

"You grounded your application to postpone the trial of the unfortunate Barry on the affidavit?"

"My first application was made on the first day of the assizes; not on that affidavit, but on the grounds of which the judge had judicial cognizance—namely, the short time that the prisoner was in the county (Kilkenny) having been transmitted, to take his trial, from the last assize town, and the impracticability of procuring his witnesses on such short notice. The learned judge said he would not grant the motion; the trial must go on.

"Was there any opposition made by the persons conducting the prosecution to the postponement you required?"

"*None whatever.* Lord Norbury asked, was there sufficient business to employ the court that day, exclusive of Barry's case; and on being informed that there was, he consented to postpone the case *to the morrow only!* I then drew Barry's affidavit, and moved upon it.

"Did any magistrate of the name of Elliott interfere?"

"Yes; he was sitting in the bar-box when one of the bar mentioned to me that he (Mr. Elliott) knew three of the parties mentioned in the affidavit. I asked Mr. Elliott, in open court, if these parties resided at the distance stated, and he said they did. I therefore moved a postponement to enable my client to procure their attendance; but the Judge thought proper to refuse the motion.

"What passed afterwards?"

"Some things which I do not wish to repeat; and therefore request you will not ask me, if not material to do so.

"However unpleasant, sir, it may be to you to answer, or me to ask, my duty compels me to request an answer.

"I told the Judge that I would not go through the mockery of a trial, when I knew the man had not his witnesses; and that if the trial were called on, his lordship should defend the man himself. I accordingly threw up my brief, and left the court.

"Anything more?

"Yes. I received an authoritative mandate to attend the trial, which, however, I contemptuously rejected.

"From whom did you receive it?

"From the Judge.

"On what grounds did the Judge refuse the application by affidavit?

"He said he had had communication with the magistrates, and that if a trial was to be postponed upon an affidavit, *so complete* and professionally drawn as that I offered, the business could not be proceeded with, as prisoners would only have to employ counsel to draw an affidavit when they wished to put off their trials. *I asked his lordship what he would have said if the affidavit had been defective?*

"Did you, after the conviction of this unfortunate man, make any application on his behalf to the Judge who tried him, in order to obtain mercy?

"After the conviction, I wrote a respectful letter to Lord Norbury, enclosing the voluntary affidavits of those persons who were to have been Barry's witnesses, in which they swore that he *was in their company at a distance of forty-five miles when the robbery was committed!* To this I never received any answer, except a verbal one, which I cannot take upon me to say had been sent by his lordship. I then applied to the Attorney-General.

"Did you mention the circumstance to any person?

"I did. I talked publicly of it in the hall of the Four Courts, and told it to every body I met.

"In speaking of it, did you represent it as an ordinary occurrence, or otherwise?

"[Here the witness shook his head.]

"Judge Day observed, that the shake of the head was a sufficient intimation of his sentiments.

"Mr. Campbell answered—I looked upon it as otherwise; and thought the Judge's conduct in refusing to postpone the trial as contrary to law."

Mr. O'Connell having concluded the direct examination,

the witness was cross-examined by the Solicitor-General, but nothing new was elicited, save as follows :—

“ Did you ever represent that pardon was refused to this convict because he was a Roman Catholic ?

“ Never. Though I sincerely love the Roman Catholics, and hope for their emancipation, yet I don't know that they are so badly treated as that.

“ Mr. O'Connell (proceeding to re-examine the witness).—*Not so bad?*—No, they are not *all* hanged ! You have been asked whether you made the application to the Judge and to the Attorney-General on the same grounds as those stated in the former affidavit. Were there any other grounds ?

“ I made it on the grounds of two affidavits—the one made by James Rodgers and three other persons named in the affidavit, sworn to postpone the trial, stating that on the day charged in the indictment, the convict, Patrick Barry, was in their company at Kilcannon, at the distance of forty or fifty miles from the place where the alleged robbery was committed, and that they had never heard of his being accused of the robbery till after his trial. I sent the affidavits, with the memorial, to Mr. Saurin (Attorney-General). I never imputed any censure to the Duke of Richmond, but to another and a different person. I mentioned the circumstance to every gentleman of the bar with whom I was acquainted.

“ Mr. Justice Day.—In what manner did you speak of it ?

“ I always spoke of it *as a most shocking event* !

“ Mr. O'Connell.—You had no doubt it was a shocking circumstance ?

“ It was a ~~most~~ shocking circumstance.

“ Mr. Justice Day.—You say there was nothing imputable to the government ?

“ Certainly not, that I know.

“ Mr. O'Connell.—Are you of opinion that the conduct of the Judge was a fit subject for parliamentary inquiry ?

“ I am ; and I did at the time think so, and repeatedly said so.

“ Did you not, by your letter to the Attorney-General, offer to attend him, and give every further explanation concerning this illegal transaction ; and did the Attorney-General ever send to or call upon you ?

“ I did make such an offer ; and *I never heard further from the Attorney-General* ! ! !

"Pray, Mr. Campbell, was not this melancholy transaction a matter of public notoriety, and in every body's mouth, long before the publication of the 'Statement of the Penal Laws?'"

"Oh, very long; I spoke of it publicly in November term, 1809. The statement was not published, as I believe, until May, 1812.

"[The witness then withdrew.]

"Mr. O'Connell remarked, that the fact that Mr. Pole and Sir Charles Saxton were the secretary and the under-secretary when the book was published was admitted; and that in November, 1812, when the information was filed, two other persons filled those situations.

"The case having closed, he applied to be allowed to speak to evidence, as witnesses had been examined on both sides, and cited a case in point.

"Chief Justice.—The practice is otherwise; we therefore cannot break this rule, unless there is matter of law to be observed upon.

"Mr. O'Connell.—My lord, there is matter of law in this case as well as matter of fact.

"Chief Justice.—I do not conceive the right exists here; but I should have no objection to hear you, if counsel for the prosecution consent.

"Mr. O'Connell.—My lord, I shall not ask any indulgence from the counsel for the crown. If I have not a right to observe on the matter of law, which in this case is so intermixed and blended with matter of fact, I shall sit down.

"Mr. Justice Osborne.—I conceive that with respect to the matter, of law, the Attorney-General has something, indeed, I think, he has a good deal, to answer.

"Mr. O'Connell.—Your lordship sees that the alleged libel is stated to be against the Lord Lieutenant, and his ministers acting under his authority; and it appears, by admission, that those ministers (as they are ignorantly styled by the pleader) were not the persons acting under the authority of the Viceroy, at the time when this information was filed. It is predicated of Mr. *Peel** and Mr. *Gregory*.†

With this quiet *slipping in*, by Mr. O'Connell, of the argument he was not permitted to make as a speech, his part in the case ended at that time.

It is well that the circumstance of Mr. O'Connell's examina-

* The present Sir Robert Peel, then secretary for Ireland.

† Father of the member for Dublin, then under-secretary.

tion of witnesses has enabled us the foregoing details—showing what species of judges this unfortunate country was cursed with under our English rulers.

Mr. Burrowes, Mr. O'Connell's senior in the case we have quoted from, had been heard after the closing of his client's case. The Solicitor-General now replied; and the Chief Justice having subsequently charged the Jury, they retired for a short time, and then returned with a verdict of "Guilty."

Mr. Burrowes objected to the charge that had been given them. "The learned Judge," he said, "ought not to have directed the finding of the averments."

In pursuance of his objection—

"Mr. O'Connell, on the sitting of the court the following day (Thursday, February 11, 1812), rose to make an application to set aside the verdict which had been obtained in this case, as originating from the misdirection of the learned judges who had charged the jury, and as being against law and evidence.

"The Attorney-General just came into court when Mr. O'Connell had proceeded thus far, and called on Mr. Fitzpatrick to appear in person.

"Mr. Fitzpatrick immediately came into court, and the Attorney-General moved that he should then stand committed.

"Mr. O'Connell observed, that such a motion on the part of the Right Hon. Attorney-General was just what had been expected.

"The court complied with the Attorney-General's motion, and ordered that Mr. Fitzpatrick should stand committed.

"Mr. O'Connell then resumed. He said he made his motion upon the grounds alleged in the notice, which had been served on the other side. The first of which was the misdirection of the learned Judge who had charged the jury; and the second ground was, that it should not be permitted to stand, inasmuch as it was contrary to law, and against evidence.

"He said that in case this motion should be refused, it was his intention to submit a further one in arrest of judgment, grounded on the pleadings alone; but as the two motions were perfectly distinct, and that the second one would not become necessary unless the first was refused, he should confine himself solely to that which he had for its object—the setting aside the verdict.

“Beside these two grounds which he had mentioned, there were also two others—viz., that the defendant had been deprived of the benefit of a second counsel being permitted to address the jury, although he had produced evidence, which Mr. O’Connell contended was his right; and that the information charged the defendant with having libelled the Duke of Richmond, and his Majesty’s ministers in Ireland, acting under his authority, when, in fact, if any imputation of the kind could be attributed to the note which formed what was termed the libel at all, it must have been intended to allude to those who had acted, not those who were now acting; for every person knew that those *non-descripts*, who were entitled his Majesty’s ministers, had been charged both between the execution of Barry, and the publication of the book; and again, between the publication and the filing of the *ex-officio* information by the Attorney-General.

“The information had been filed in Michaelmas term; it contained two counts, the second of which was wholly out of the question. The word *farmer* had been omitted; and in a prosecution of this nature the defendant was fully warranted in taking advantage of anything in his favour; when the point had been made at the trial, it was not contested. The second count was, therefore, wholly out of the case.

“This information stated that Hugh Fitzpatrick being a person of a bad, malicious, and wicked disposition, &c., and desiring to stir up and create a rebellion, &c., did, on the 19th of June last, publish a libel, a false and scandalous libel, *of and concerning* his Grace the Duke of Richmond, &c., and of and concerning his Majesty’s ministers in Ireland, *acting* under the authority of the said Lord Lieutenant, &c. It then recites the libel itself, which is of the following tenor:—

“‘At the summer assizes of Kilkenny, in 1810, one Barry was convicted of a capital offence, for which he was afterwards executed. This man’s case was truly tragical—he was wholly innocent—was a respectable Catholic farmer in the county of Waterford. His innocence was fully established in the interval between his conviction and execution, yet he was hanged, publicly protesting his innocence! There were some shocking circumstances attending this case, which the Duke of Richmond’s administration may yet be invited to explain to parliament.’

“After the libel, close follows the *inuendo*, ‘meaning that the said

Barry did not obtain pardon, because he was a Catholic, although his innocence was fully proved to the knowledge of the said Duke of Richmond, &c.'

"Such was the information which had been filed by his Majesty's Attorney, upon which a jury returned a verdict of guilty, and in consequence of which Mr. Fitzpatrick then stood in actual custody.

"The first of these objections to allowing the verdict to stand, turned upon what was conceived to be the misdirection of the learned judge's charge, which had left it to the jury to decide upon the truth and applicability of the last *inuendo*, which was described, as the *meaning* of the passage, that the said Lord Lieutenant had been advised by his ministers to refuse pardon to a person where innocence had been made apparent after his trial and condemnation, and that such pardon had been accordingly refused in the face of a conviction of innocence, and solely because he was a Catholic.

"This *inuendo* contained much new matter which had not been spoken of before.

"Of all this, said Mr. O'Connell, there had been no previous averment; the information contained only an assertion of the intention being to vilify. There was not a word in the libel concerning advice received by the Lord Lieutenant, or of any action of his in consequence of it; yet, that such averment was necessary there was the strongest authority to prove. In the case of the King against Home, where the opinion of the twelve judges of England was asked by the House of Lords, and was delivered by the Lord Chief Justice De Grey, his lordship states (reported, Cooper, page 683) that where a libel is of such a nature, either from its being ironical, or from having an allusion to circumstances not generally known, that the words in which it is given do not, of themselves, convey all that is meant and understood, it is necessary that the things so understood and not expressed, should be laid before the jury; but that a jury cannot take cognizance of them unless they be upon the record, where they cannot be unless by an averment; so that either the charge of the Court, upon the trial of Mr. Fitzpatrick, must have been wrong, or the opinion of the twelve English judges, expressed by Lord De Grey, must be so. It could not be said that the *inuenues* themselves were, in reality, averments; an authority (2nd Salkeld, page 315) was perfectly conclusive on this subject; an *inuendo* being there defined negatively as not being an averment, but on the contrary, a production, *id est*, &c.

“ It being thus ruled that a jury could not take cognizance of the matter contained in an *inuendo*, without there having been a previous averment, it followed that no evidence in support of the *inuendo*, in the present case, should have been allowed to go to the jury, or, if it had been so allowed, that the judge should have desired them to discharge it entirely from their minds previous to giving a verdict. This, however, had not been done; and, on the contrary, the Court had desired the jury to consider the information precisely as if the averments had been regularly made; it was universally allowed that averments were necessary to let in evidence of *meaning*, even where such evidence could be produced. But here, in point of *fact*, the Crown did not go into any evidence to show the meaning, or prove the *inuendoes*; and, with great respect, he conceived that the jury should have been told, there was no evidence in support of the *inuendoes*, and directing them to find the truth and applicability of those *inuendoes*, there being no averments, was travelling out of the limits prescribed by the law, and recognised by Chief Justice De Grey and the twelve judges of England, and, therefore, he conceived that the charge of the learned judge had been erroneous, and contrary to law.

“ The next ground to which he should call the attention of the Court was, that there existed a material variation as to a matter of fact, between the evidence given or admitted, and the information. The information stated, that the libel had been published of, and concerning the persons acting as his Majesty's ministers in Ireland; that is, of the persons so acting at the time of the publication of the libel. Now, it was obvious that this was an anachronism of the grossest kind. The circumstance which gave occasion to the libel had taken place in 1809; the book had been published in 1812, and the ministers of these two periods were entirely different. How, then, could the libel be said to regard the ministry existing at the time of its publication? It was impossible that it could not exist without entirely vitiating the information.

“ He now came to the third ground for the motion, and upon that he should be still more brief than he had been on the other two; it related to the trifling advantage which he might have derived from being allowed a counsel to speak to evidence. It was very confidently relied upon, that there could not exist any doubt as to the right of the defendant, evidence having been produced on both sides. The objection upon the trial came from a quarter to which no reply could be made, namely, the Court; had it been otherwise, it might

have been easily and satisfactorily shown, that the reason given for this decision did not apply.

“Formerly, it had been the practice, if the defendant had evidence, to allow him the benefit of counsel to speak to that evidence. The judges of that court (the King's Bench), however, had thought proper to alter this practice; they determined that no second counsel should be heard upon the part of the defendant, and they gave as the reason for coming to this decision, that the defendant's counsel, in opening his case, speaks to the plaintiff's evidence, and observes upon his own. It was also a part of the rule, that unless the defendant goes into evidence, the plaintiff has no right to be heard by a second counsel; yet the very Court he was then addressing, and which had made the rule, had heard counsel for the crown twice in the case of the *King v. Kirwan*, although there had been no evidence produced by the defendant. It must naturally be supposed, that the Court had determined, that in civil cases no second counsel should be heard, but that criminal ones did not come within the rule, otherwise it would be, in fact, granting to the crown an additional and necessary advantage. Lord Kenyon, in the case of the *King v. Abbing-ton* (1st Espina, 136,) condemns the practice.

“Considering that the crown had the benefit of the great and unrivalled talents of the Solicitor-General, who was to reply, an advantage which nothing could have procured the defendant, and which nothing within his power could balance, as the learned gentleman who had opened his case could not be heard a second time, and that it would have fallen to his (Mr. O'Connell's) lot to have spoken to evidence, his client, certainly, had lost but a small advantage; such as it was, however, he had a right to it; but the Court had thought proper to over-rule that right, and in doing so had referred to the case of the *King v. Kirwan*. Coupling the decision in the case referred to, with that on the late trial, it came to this, that the rule does apply to take away the advantage from the traverser, and that it does not apply to take it away from the crown.

“This was a position which he was sure their lordships would not think of establishing, and unless they did so, the right of his client to the benefit of a second counsel was unquestionable; therefore, the denial of it by the Court rendered the trial faulty, in respect to the manner in which it had been conducted, and consequently the result of it nugatory.

“He had now arrived at the fourth objection, and one of much importance; it was, that the jury had, upon the most material part of

the information, found the verdict without evidence, and even contrary to evidence. Mr. O'Connell here read over the paragraph forming the libel, and contended that there had not been sufficient evidence to connect any part of it as a libel with the name of the Duke of Richmond. This had been attempted, indeed, by connecting the circumstance mentioned in the libellous note, with passages in the text to which a construction had been given favourable to the inference wished to be drawn from the whole. It was first said that the passages thus read, stated that government was influenced in granting pardon to criminals, or in denying it by their religious persuasions; and it was then concluded that the note was intended to give an instance of the partiality alluded to in the text; and had the text been examined more clearly, it would have appeared that the thing expressed was, that Protestant criminals had a greater facility in procuring attestations of previous good character, or of other circumstances, such as usually entitle to pardon, than Catholics, and, consequently, that the Lord Lieutenant, so far from having been accused, was justified for granting pardon more frequently to the one than the other; the note, then, being an instance of what was asserted in the text, could not reflect, by any means, upon the Lord Lieutenant. As to the concluding part of the note, which stated that the Duke of Richmond's administration might yet be invited to explain certain circumstances to parliament, it only meant that the documents for regular investigation, being in possession of the ministry, could not be procured without inviting its aid.

"Had the trial been had before an unbiased jury, it was very probable that the result would have been very different. It was very likely that they would not have been content with the mere *assertion* of the Attorney-General, that the note which formed the subject of the libel was intended to vilify the Lord Lieutenant and his Majesty's ministers in Ireland, acting under his authority; they might possibly require an explanation of *who those persons, called ministers, actually were*, before they convicted a respectable and honest man of libelling them, merely because the Attorney-General had thought fit to say they were libelled.

"It was matter of Irish history, that when these state prosecutions were carrying on against a Catholic of this country, not one man of his own religion was suffered to remain upon the panel."

"This had been stated by the respectable and learned gentleman who had opened Fitzpatrick's case, and was not attempted to be

denied. It was observed, indeed, that one Catholic name had happened to be put upon the panel through mistake; this fault, however, was not intentional; it had occurred, by accident, and no doubt the apology which such a trespass required was made. He was not now stating anything improbable or unwarranted, for it was a well known fact that the persons who had the appointment of the jury, had given a solemn and deliberate *pledge* of their dislike and hatred of Catholics; and that it was to this avowed hostility to so numerous and loyal a class of his Majesty's people, that they owed their election. Thus, in a case where a Catholic is tried upon a charge of asserting, that the Catholic subjects of this country have not equal justice done them, special care is taken that not more than *one* Catholic shall be put upon the *panel*, and that he shall not be of the jury, but that the accused shall be tried by *twelve* men, of a different persuasion from himself, and some of them, perhaps, strongly imbued with prejudices unfavourable to himself and his religion. Had the question been one of property, such a disgraceful circumstance would not have taken place in the city of Dublin, where as many upright, wealthy, and respectable Catholics were to be found, as could be selected from the ranks of their Protestant fellow subjects.

"Mr. O'Connell now shortly recapitulated his arguments, and submitted to the Court that he had made out a case sufficient to induce their lordships to set aside the verdict; and if Mr. Attorney-General thought it prudent to file a fresh information, that a new investigation should be entered into.

"The Chief Justice said, that Mr. O'Connell had made much more of the argument than, in the beginning, he thought could be done.

"Motion refused.

"A suggestion was made that it should remain over till next term.

"Mr. O'Connell.—'But, my lord, Mr. Fitzpatrick is in actual custody, and it would be very oppressive that he should remain in confinement the whole of the vacation, when it is strongly relied upon that there are sufficient grounds to arrest judgment.'

"Mr. O'Connell prayed the Court that Mr. Fitzpatrick's recognizance might be immediately taken, in order to avoid his remaining in custody all night. He said that Mr. Fitzpatrick was a respectable man, and there was no danger but he would be forthcoming. He, therefore, presumed that his own recognizance would be sufficient.

“Security—himself in £1,000, and two others in £500 each—required.

“Mr. O’Connell—‘You were already offered to have that requisition complied with upon fair terms. The bail shall be immediately produced.’”

The conduct of the English Catholics came under discussion for the second time this year, in the Dublin Board, on the 13th of February. On this occasion—

“Mr. O’Connell rose to propose a resolution, on which he believed there would be but one feeling in the board. It related to the gratuitous interference of a gentleman in England, and a Catholic, too. The Catholics had before suffered from the officious and unauthorized interference of persons, who had undertaken to act for them with, perhaps, the very best intentions in the world; and it had, therefore, become necessary for them to pay close attention to any thing of the kind which was attempted, no matter from what quarter it came. If, as he had just stated, that individual interference, though accompanied by excellent intention, had produced unpleasant consequences, how much more likely was such conduct to cause ill effects, if it were the offspring of a contrary disposition?

“Whether the intentions of Mr. Charles Butler were of this latter description or not, he should not then take upon him to decide; but this much was certain, that he had echoed the despicable and unfounded cant which the enemies of the body had been at such pains to propagate; he had complained of the intemperance with which the just demands of so many millions of loyal though oppressed people were urged. He had even gone farther; he had attempted to prove that the board had been guilty of intemperance; but he (Mr. O’Connell) denied that he had proved any such thing; he utterly dissented from the charge and assertion.

“It was not intemperance for men, who knew they deserved to be free, to wish for freedom; it was not intemperance for men, whom the gifts of nature and the advantages of rank and fortune, had combined to render eminent; it was not for such men to be charged with intemperance, because they panted to enjoy those common rights, which are the inheritance of every man in this community. When my Lord Aldborough, and my Lord Kiltarton, and such holy apostles, assisted by others, whom motives of personal delicacy induced him to refrain from mentioning, wished to drown the Catholics in their inferior-

rity—to force them to continue Helots—slaves—when they saw men endeavouring to perpetuate and sustain every sort of political profligacy, and to clothe that profligacy in the sacred mantle of Christianity—it was not to be wondered at if those who were the sufferers, should assert, with a manly, but constitutional firmness, the impolicy and injustice of perpetuating their degradation.

“And was it for this that they were to be charged with intemperance, by such men as he had described? And how could Mr. Charles Butler satisfactorily account for lending himself to such a charge? He (Mr. O'Connell) proclaimed the charge to be a foul and malignant stratagem, invented by the enemies of the cause of Ireland and of the empire. Thank God! they could not say that the Catholics prostrated themselves at the foot of the minister, for the purpose of advancing their interest, or that they sacrificed themselves on the altar of dishonour, and bartered to become the slaves of corruption, instead of being the slaves of an unjust and impolitic penal code. Slavery, in the first instance, would be infamy in themselves; in the other (although acutely felt by the victim), it reflected disgrace only on their oppressors!

“He moved the following resolution:—

“Resolved—That from recent information, we deem it necessary to state, that no person has been, or is authorised to hold any communication with any members of the administration on behalf of the Catholics of Ireland as respecting their affairs, our confidence being reposed in the noblemen and gentlemen composing the delegation, and acting under the directions of the board.

“The resolution passed unanimously.”

At a meeting of the board, on 24th April—

“Mr. O'Connell gave notice of a motion which he intends to submit at the next meeting of the board, for the appointment of a sub-committee to make inquiries respecting the forged signatures attached to the Dublin Protestant petition, so as that the same may be brought before parliament.

“Mr. O'Connell entered notice of a motion that the delegates be requested to return to England for the purpose of entreating the parliamentary friends of the Catholics to expedite the bringing in the bill, &c.”

On Thursday, the 25th of February, in this year (1813), Mr. Grattan, in a committee of the whole house, moved a resolution on which to found a bill for Catholic Emancipation.

The discussion upon his resolution was animated, and protracted, by adjournments, to early on Wednesday morning, the 9th of March, when the committee divided as follows :—

For Mr. Grattan's motion	-	-	-	264
Against	-	-	-	224
Majority in favour	-	-	-	40

This result was hailed in Ireland with feelings of joy, mixed, however, with anxieties, lest the forthcoming measure of relief should include any mention of the odious “securities.”

At the end of April the bill itself was introduced; and these anxieties were found to be a good deal justified.

One clause of it stipulated that every Catholic clergyman should swear “that he would not assent to, nor concur in, the appointment of any Catholic prelate in Ireland, unless he should consider such prelate to be of *unimpeachable loyalty*, and *peaceable conduct* ! !”

On Saturday, May the 8th, the Catholic Board met at their rooms, in Capel-street, to discuss their new prospects. Considerable interest had been excited as to the course they would take; and, accordingly, the attendance was as large as could be at all accommodated. The Duke of Leinster; his brother, Lord William Fitzgerald; his brother-in-law, Lord Kinnaird; and Lord Forbes, son of Earl Granard, were among the visitants.

Sir Edward Bellew took the chair.

Several letters were read. Amongst others, one from the Right Rev. Dr. Milner, from England, the contents of which are described to have been “quite polemical, denouncing clauses in the new bill, questioning the purity of the motives of several characters who have been engaged in framing it, and insinuating something like an imputation on Mr. Grattan.”

“Mr. O’Connell hoped that the Catholic Board would not be embarrassed by the discussion of polemics, with which it had nothing to do. He could not reconcile it to himself, to sit down without giving notice of a motion which he thought the reading of that letter called for. Whenever the illustrious and venerated name of Grattan

was mentioned at that board with anything bordering on lightness or disrespect, he conceived it the bounden duty of the members to come forward to remove the possibility of having it supposed that their confidence in their long-tried advocate could be shaken. (Hear, hear.) Therefore, he should give notice of a motion for next Saturday, that the Right Hon. Henry Grattan merits and possesses the confidence of the Catholics. (Hear, hear.)

“ FORGED SIGNATURES.

“ Mr. O'Connell rose, and stated that it was his intention to move for the appointment of a committee to consider in what manner most consistent with that delicacy which it was desirable to observe towards the real Protestant petitioners, the immense number of forged and fictitious names which had been affixed to the petition, styled that of the ‘ Freeholders, Freemen, and Inhabitants of the city of Dublin,’ and which had been presented with such ludicrous pomp and ceremony, might be brought before the imperial parliament.

“ He requested permission to take that opportunity of returning his thanks for the high honour conferred upon him, on the last day of meeting, in his appointment as one of the Catholic delegates. He entreated also leave to excuse himself from the apparent neglect of his duties as such. Those who voted for him ought to have recollected how entirely impossible it was for him, at this period of term, to leave Dublin. He was ready to make every sacrifice for the common cause ; he was ready to sacrifice his life to advance civil or religious liberty in his native land. But he could not tamper with the interests of other persons at that moment confided to his hands. He, therefore, very gratefully and very respectfully tendered his resignation of the office of delegate.

“ As to the plan which he should recommend for the exposure of the forgeries, he could not have thought necessary to suggest it at all, had the Catholic bill been rejected. He was little disposed to desire the Catholics to alter their tone at any time ; but when the legislature evinced so decided a disposition to grant and to conciliate, he did not think a corresponding spirit should be wanted on their part.

“ The Catholics had at length arrived at that important stage of their history, that a bill, intended to give them relief, was actually making progress in parliament. The good intentions of their friends in parliament were obvious ; they intended to extend eligibility—all that was required—with considerable liberality. What a deplorable circum-

stance it was, that, with such excellent dispositions, they have not taken the trouble of acquiring such information as would enable them to carry their good intentions into practical effect! The bill they had brought in was a well-intentioned bill, but it was a slovenly bill! Slovenly in its recitals—slovenly and inaccurate in its details.

“ Before proceeding further, he wished the tenor and object of his remarks to be distinctly understood. There were clauses purely civil, and clauses that had reference to ecclesiastical matters in this bill. Upon the nature of the latter he should observe a total silence. The discussion of them was too well calculated to produce heats which it was his object to avoid. He should confine himself closely to the subject of civil rights; the board was not called upon to entertain the question of religious security at all, nor, in fact, was it necessary to be introduced anywhere for the present. When it was seen that the legislature would grant *civil liberty*, then it would be time to let those whose province it was, consider of *religious security*.

“ As he had bestowed much attention upon the bill, and as he was anxious to serve his countrymen at home, when he did not perceive how he could do it by going to England, he had felt it his duty to lay before the board the frame and plan of a bill for civil liberty, such as he conceived could not fail to satisfy the people. In submitting this frame, he would again repeat, that he gave the persons who had prepared and brought the bill now before parliament, the most perfect credit for the purity of their intentions. His objections to the frame of the bill were, perhaps, but technical, still he thought them entitled to attention. There were phrases in the recital and enactment which were new and unknown to the constitution and law. Catholics were to be made participators in what was called ‘*Free Government*.’ What was the legal meaning of the word *government*? It was a term, the legal meaning of which was unknown and undefined. It would apply equally well to the government of Constantinople as to that of England. In the common meaning of the word here, we are apt to think of the government of the Duke of Richmond when the words were used, and the Catholics did not desire to have it understood that they wished to participate in his grace’s government. They felt no such inclination; their wish was to participate in the constitution—in the free constitution that had been framed by Catholics—by rigid Catholics—all of whose grand, but now neglected principles of popular power and popular representation, had been established before Protestantism had a being or a name.

"It might be deemed trivial to criticise verbal inaccuracies; but let it be borne in mind, that these were the words of an instrument purporting to be a great state bond and compact between two nations, united in name, but kept separate by impolicy and injustice. (Hear, hear.) In this important act every word was of moment, for, upon every word would depend the liberties of living, and of yet unborn millions! (Hear, hear, hear.)

"And sorry he was to say, that to defective recitals, still more defective enactments were attached. True it would, upon the condition of taking this vile oath, open the House of Commons and the House of Peers, and many an important office and honourable rank, and serve as a stage in the natural progress to the complete establishment of an equalization of civil rights. But it was slovenly as far as related to the peerage; it was defective as far as related to judicial offices; it was useless with respect to corporations; and it did nothing at all for charities, education, marriage, or landed property; and this was but a brief and amicable summary of its defects.

"Such was the bill which was at that moment before the house. How different from what it ought to be—how different from what it might have been, if our excellent liberators had but condescended to consult the parties most interested. (Hear, hear.)

"A draft of a bill has been prepared by my friend, to whose pen and to whose services the Catholics are so much indebted (Mr. Finlay). It has my warm approbation, because it is comprehensive in its principles—ample in its relief. It would abolish all civil and lay distinctions for cause of conscience, and open to every faithful subject a career unfettered by the trammels of persecuting laws. It would leave for merit what is now conceded to creed, and destroy jealousies and religious animosities by removing their causes. Such was the bill which, he trusted, would yet be brought before parliament. He begged permission, as it was short, to read it . . .

"Upon this Mr. O'Connell was called to order by Mr. Baggot, Mr. Costigan, and Counsellor Bellew, who spoke at considerable length to show that the merits of the bill, or of any substitute for it, could not be relevant to the object of the motion before the board.

"After a good deal of discussion upon the point of order, in which Mr. O'Gorman and Counsellor Finn also took part, the chairman decided that Mr. O'Connell was certainly out of order, and that the draft of the proposed bill should not be read.

“Mr. O’Connell immediately submitted to the decision of the chairman, although he said he could show that what he had been saying bore directly upon the question then before the board ; before he proceeded, however, to the more immediate discussion of that question, he gave notice of his intention to submit, next Saturday, a brief abstract and skeleton of such a bill as he conceived was calculated to grant real and complete Emancipation. (Cheers.) I am now come (said he) to that part of the question which is included in the very terms of my motion. I am not confined to the history of the fraud and forgery of which I now complain. I shall not, I trust, be interrupted whilst I observe shortly upon its clauses. I allude not to the hostility—the rancorous but ineffectual hostility of the Richmond administration, in this country, to the rights of the Irish Catholics. That is scarcely worthy of investigation, and deserves little more than to be mentioned for the purpose, simply, of reprobation. The causes I advert to lie deeper ; they are to be found in the great and continued success of which falsehood—unblushing falsehood—has already had against the Irish Catholics ! It was not in the field of battle that our liberties were cloven down ! (Hear, hear.) No ! Our ancestors when they fought, if they did not advance as victors, surrendered upon the faith of an honourable capitulation ; but that faith was violated, and its violation was justified by calumny ! (Hear, hear, hear.) The Catholics were accused of entertaining opinions which they have ever detested—of adopting positions and principles which they have ever abhorred. Charges were brought forward and repeated against them which could be aptly contradicted only in the broad vulgarity of Lord Ellenborough’s language—‘ *Charges false as Hell* !’ Charges—the falsehood of which was known to the very accusers themselves—were repeated, until the credulous were convinced, and the weak yielded. From the Press, the Stage, the Bar, the Bench, and the Pulpit, were opinions charged upon the Catholics directly the reverse of what they entertained, and articles of belief asserted to be theirs, which they always rejected and abjured. Those who were violators of their own faith with the Catholics in *fact*, accused the Catholics of being violators of faith in *theory* ; and those men who persecuted the Catholics in reality, accused their victims of being persecutors in imagination and design ! (Hear, hear.)

“The accusation you feel and know to be utterly false, but it was repeated until it was believed, and the Catholic suffered the punishment, not of any crime of which he could, by any possibility,

be proved guilty, but of offences fabricated in the malicious fancies of enemies, and which were not only unfounded, but impossible. They were impossible, because so utterly repugnant to human nature, and contradicted by the stamp of his own divine image, which the Deity had infixed upon the human soul. (Cheering.)

“ Yet, it was by the assertion and re-assertion of those calumnies—it was by attributing to us opinions which, if they existed, I should be sorry a single Catholic remained in Ireland—I am quite sure I should not be one. It was by those false and foul imputations that we were degraded in public opinion, and then reduced to slavery, and since continued in bondage.

“ It was vain to protest against the untruths; for near a century they maintained their sway, and new generations sprung up before the appeal of calumniated millions was heard, or their wrongs investigated. (Hear, hear.)

“ Falsehood having been so long successful, it suited well to the mischievous and malignant activity of the management of the Richmond administration to resort to its resources. Accordingly, the most impure and corrupt Press that ever disgraced any age was set at work, with plenty of present pay and of future expectation, to traduce, to calumniate, and to vilify the Catholics collectively and individually. (Hear,) Accordingly, all the ancient calumnies were revived, and every new calumny brought forward that could be invented by a very malignant disposition, but a very miserable intellect. The seven-times-sold apostate from every principle was purchased and arrayed against us, until all the force that malicious dulness could collect was brought into action, and commanded by a general better versed in the quibbles of the law, than in the tactics of the field. It was in pursuance of this government plan of imposition, that the ‘Third part of the Statement of the Penal Laws’ made its appearance—that it was circulated in England as genuine, and given to the world as the sentiments of men, who held its contents and its authors in equal contempt!

“ Perhaps, so scandalous and impudent an imposition never disgraced the annals of bigotry. But the fabricators—have they been punished? Oh, no! Mr. Attorney-General has no terrors for men who would divide and distract; he prudently reserves all his vengeance for those who dare to preach harmony and conciliation, and to call oppression and bigotry by their right names.

“ Next in order followed this petition, the signatures to which are the object of my present motion. It commenced in falsehood, it

was conducted by fraud, and it was consummated by forgery. Yes, its commencement was in falsehood, for it was alleged to have been voted at a meeting of 'the freemen, freeholders, and inhabitants of the city of Dublin.' This allegation was printed in several of the Dublin newspapers for near three months, and to the assertion was affixed the name 'Abraham Bradley King,' and yet a more unfounded assertion was never made—an allegation more destitute of truth never insulted the patience of public credulity, than that signed and repeated for three months, under the signature of 'Abraham Bradley King.' I need not ask, when this meeting was called, or where, or by whom? I need not remind you, that there was no theatre sufficiently large to contain such a meeting, if it ever took place; nor need I revive the indignation which the miserable excuse excited, that, really, the exhausted remnant of a supper table at the Mayor's house, did vote itself, being full half a dozen in number, into the freemen, freeholders, and inhabitants of the City of Dublin, and then passed this petition! And yet, in sober sadness, it must be admitted that no better justification existed for the Lord Mayor's assertion of a public meeting.

"I said that it was conducted by fraud; for this fraud, we are told by the uncontradicted report of the public papers, was resorted to. The Mayor procured himself to be deputed—nobody knows by whom—to take the petition to London. Arrived there, he presented, we are told, the no-popery petition, as the authorized delegate of the Corporation of Dublin. Yet, he had no such authority; he was the simple messenger of a simple party of obscure individuals who, as this petition originated at a supper, sent him off from a dinner, after which the Duke of Richmond ludicrously graced him with a troop of horse to accompany his mock lordship thence to the pigeon-house. His very journey to London was a fraud, because it held out to the English people the appearance of the first magistrate of a great city despatched by the constituted authorities of that city on public business. Under that pretence he presented himself in London, whilst it is shrewdly whispered that he attended for the purpose of endeavouring to traffic upon the importance of his official station, in order to get the name of his son inserted into an appointment connected with his lucrative employment. In short, the farce was just worthy of the legal managers that are at the bottom of every work of bigotry and persecution in Ireland, and of the inflated buffoon who was the principal actor.

"The consummation of the petition was forgery, in the ordinary

sense of the word, consisting of the affixing the names of individuals without their authority or consent; forgery, equally, if not more culpable, in writing hundreds of imaginary names, and affixing them to this petition from a multitude. The Protestants of Ireland petitioned last year on our behalf. The wealth, the worth, the talent of the Irish Protestants—every thing that was noble, and dignified, and intelligent, and independent, amongst our Protestant brethren, united in that petition; their names have been printed, and it is with pride and with pleasure that we see those names constitute a large book, whilst every name speaks a volume of mutual affection and reciprocal charity. This is, indeed, a proud display for Ireland; this was all she wanted from man, that her children should combine in conciliation and harmony. It would, really, have afforded a curious incident in the history of human frailty, if those who had come forward last year, under the banners of liberality and justice, had been seduced this year to join the blood-stained flag of Orange intolerance. (Hear, hear.) The experiment had been made; every thing that the wealth and power of the state—that the ingenuity of the advocates, or the authority of the judges—that the exertions of the writer, or the intrigues of the courtier could supply, was brought into action, to seduce, to convince, to intimidate, to control, to cajole, and to deceive the Irish Protestants. But all these resources failed; the drunken orgies and the morning preaching intemperance of abuse, and the hypocritical lamentations of pretended friendship were tried, and tried without effect. The independent and enlightened Protestants of Ireland remained true to the liberality which they had professed, and rejected every attempt to bring them over to the ranks of our opponents. (Hear, hear.)

“It was a matter, therefore, of much curiosity to discover who the 2,800 ‘freemen, freeholders, and inhabitants of Dublin’ could possibly be: public curiosity has been gratified—gratified by the inspection of the names—gratified by the discovery that the dagger is air-drawn and imaginary, by which it was sought to assassinate Protestant character and Catholic liberty! (Hear, hear.) I have seen an authentic copy of this formidable petition, and I rejoice to be able to assure you, that it affords decisive evidence of the low state of intolerance. I have read this list, and, after the most minute inquiry, added to my own knowledge in this city, it does appear to me that there are not twenty names to this petition of persons of fortune and independence of mind, who signed it

from mere motives of conscientious bigotry. This class of persons are certainly to be treated with the most respectful deference; they labour under a mistake, but they act from pure intentions, and I respect whilst I pity them. They had an undoubted right to petition against conceding, upon any terms, any thing to the papists; they had a clear right to pray the legislature to continue to be indiscriminate in laying on the burdens of the state, but partial in conferring its benefits. I admit their perfect right to sign this petition, and I request it may be understood, that I am incapable of applying any harsh expression to them, as I certainly also am of feeling any resentment against them. But, undoubtedly, in the number of twenty, I have given abundant room for the uninfluenced signatures.

“I blush to tell you that this list contains three or four of the Irish bar. (Hear, hear.) I am ashamed to say that there are so many certainly as three—I fear four. The Irish people, long accustomed to find in the Irish bar the friends of every freedom, will hear it with astonishment, notwithstanding the acrimony, the native and the imported acrimony, towards the Catholics, cherished by the head of the law department. It will scarcely be believed that our profession, proudly distinguished, as it formerly was, for liberality and love of country, has so fallen as to afford even three signatures to an anti-Catholic petition. I regret, from my soul, the discovery. (Hear, hear.)

“The number of clergymen of the Established Church who signed this petition is, I am happy to say, few; nor, when we recollect what excellent and accomplished gentlemen those clergymen in general are, will it excite any surprise in the minds of the bigots of any sect, that the number of their signatures should be few. Of attorneys, there are, at least, eight or ten—I expected to find twice the number; of placemen, there are many; of pensioners, several; many from the offices of the castle; many from the police offices; several from the custom-house: almost all the hired constables; the judge, the registrar, and the proctors of the prerogative court, and as many of the wretched watchmen of Dublin as are, or pretended to be, Protestants; there has been so much liberality exercised, as to admit poor papists to the dignity of the nightly watch. (A laugh.) To these are to be added the ‘tag, rag, and bob-tail’ of the corporation—numbers of those who hold its principal stations—all those who hold its lower offices, and are appointed and removeable at pleasure. Add to these, writing clerks, dependents, and a small, but hungry

group of expectants, and you have the entire catalogue of genuine signatures.

"But there will remain near two thousand signatures to be still accounted for—near two thousand signatures will remain, for whom no owner can be found. (Hear, hear.) Of those there are some hundreds which purport to belong to individuals who have indignantly disclaimed them. There are, in short, some hundreds of forgeries. (Hear, hear.) Need we give a more striking instance than that of Mr. Stephens? He discovered that his name had been forged to this petition, and immediately wrote to the Mayor, to inform him of the circumstance; the Mayor did not condescend to give any reply, but took the known forgery to England, and presented it to the House as genuine. (Hear, hear.) When forgery was exhausted, mere fiction was resorted to. There was danger in giving names which, being in common use, might be disavowed by individuals bearing them. The fabricators of this petition set disavowal at defiance; they produced names which no man ever bore or will bear—(Hear, hear); they invented John Hedpath, and coupled him with John Ridpath—they attached James Ridpath to James Ridpath; they united the noble families of the Feddlies to the illustrious race of Fiddlies; they created the Jonneybones, and added the M'Coobens to the Muldongs; to the uncleanly Rottons is annexed the musical name of Navasora—the Sours and the Soars—the Dandys and the Feakens—the Gilbasleys and the Werrillas—five Ladds and five Palks—the Leups and the Zealthams—the Huzies and the Hozies—the Sparlings and the Sporlings—the Fitzgetts and the Fibgetts—the Hoffins and the Phantons, and the Giritrows, and the Hockleys and Breakleys, the Russinghams, and the Favuses, and the Sellhews, and the Mogratts and Calyells—all, poor innocents, are made to combine against us, and to chime with the Pithams and Paddams—the Chimnicks, and Rinnicks, and Clumnicks, and the Rowings and Riotters; they threw in the vulgar Bawns, and after a multitude of fantastic denominations, they concluded with Zachariah Diamond. (Great laughter.)

"In short, a more tasteless group of imaginary beings was never conjured up by the delusions of magic. To the tune of 'Johnny Armstrong,'—they gave us five-and-twenty Armstrongs, and placed eighteen Taylors on the list—it ought to have been 'four-and-twenty tailors all in a row;' there would have been some pleasantry in it. In short, by these means, by the force of mere invention, upwards of one thousand names have been added to this petition,

and one thousand children of the brain of those worthy managers of intolerance appeared in formidable array against us, at the bar of the House of Commons, covered with the mantle of the Mayor for swaddling clothes. (Laughter.)

“It is incumbent on us to bring these facts before the public and the legislature; we owe it to ourselves and to our children, to get rid of an obstacle to our liberty and theirs; we owe it to the legislature to detect the imposition which has been practised upon them; and chiefly it is due to the liberal Protestants of Ireland to rescue the Protestant name from this additional imputation of bigotry, which their enemies, no less than ours, would cast upon it. (Hear, hear.)

“There is, too, another motive which, I confess, influences me powerfully. The very men who have been guilty of those base forgeries have, in a recent instance, foully tarnished the Irish character; an innocent person was accused—an innocent female was accused—perjury the most foul—subornation the plainest and most palpable, were used against her life, and, still more, against her honour. We, Irish, often feel (it is part of the real character of Irishmen) pity for the accused, it is said, even for the guilty; but accused innocence excites our warmest sympathies; but when female innocence stood accused, I thought for the honour of my country. I thought that, without any poetical fiction, thousands of Irish swords would start from their scabbards, and that the wretch would be driven from society who checked our manly, our virtuous indignation. But a set of beings, I will not call them men, have been found, who, under the auspices of the persecuting Castle, the pious and no-popery forgerers have been found to refuse the poor and pitiful tribute of their approbation to exalted virtue and dignified purity, escaped from calumny, from subornation of perjury. These loyalists—these creatures who call themselves exclusively loyal, because they are the ready sycophants of every tool of power—(Hear, hear)—these exemplary loyalists, have refused to address the niece and the daughter-in-law of their King—the wife of the Regent—their future Queen—(Hear, hear)—the mother of their future Sovereign, though the triumph which her unassisted innocence obtained over the vilest conspiracy ever disclosed, powerfully demanded the expression of congratulation.

“And what excuse did they give for this refusal? Why, they scorned all mockery and delusion, and insisted that to address the Princess was to insult the Prince; and would the Prince feel insulted

at such an address? I should hope two things of him—first, that he means, hereafter, to redeem the pledge he so often repeated to the Irish Catholics (Hear, hear); and, secondly, that he does not feel insulted when the triumph of the Princess over her perjured and her suborned traducers is celebrated. (Hear, hear.)

“But who are the men who have refused to address her Royal Highness? Who are they who have no sense of justice—no abhorrence of calumny—no enthusiasm in defence of female innocence? They are our enemies; they are the fabricators of every falsehood, and of every forgery that could injure or impede our cause; they are men who degrade the Irish name—the character of manhood. (Hear.) We are bound by every consideration dear to men, and sacred to Irishmen, to expose to the empire those wretches—to show them as they are—poor, paltry, and profligate—the ready slaves of every secretary—secretary’s clerk. We are bound to show the British empire that it was not the Irish—not the mercantile inhabitants of Dublin—but the dregs of the fabricators of its frauds and its forgeries, that could refuse, under the pretext of not wishing to displease the Prince, an address of congratulation to his once persecuted, but now triumphant consort. (Hear, hear.)

“In short, I desire to succeed in my present motion, for this first and principal reason, that the meanness of the open enemies of the Princess amongst us, and of their titled and legal instigators and prompters, may be put on record for ever. That will be done by bringing the question of those forgeries and fictitious signatures before the House of Commons. (Hear, hear.) To impose upon that House is, I presume, a breach of its privileges. (Hear.) Let us demand inquiry and investigation. Our assertion will be, that two-thirds of the signatures to this petition were forged, or simply fictitious; but we will not require an assertion to be credited without proof; we will challenge inquiry; we will show five hundred names without an owner (Hear); and we will then point out the fabricators of this mean and dishonourable scheme to retard the progress of Emancipation.

“If we are mistaken, our enemies can easily confute us; they have only to produce the individual. Mr. Riotter may head their party. I should be glad to see the gentleman. If he does not live in the city, this Riotter, I presume he is to be found in the liberties. After him our enemies can show off Mr. Wevill, hand in hand with Mr. Navisora, and Johnny Bones, Esq., may appear with Fibgetts,

gent., and even Mr. Knowing can be summoned to come forward in company with Mr. Dandy. (Cheers and laughter.)

“ But why should I fatigue you with the ridiculous catalogue. If those men exist—pardon my supposition—if they exist, they live for our enemies ; if they do not exist, then what is to become, in public estimation, of those our enemies—of those worthy allies of the traducers of her Royal Highness ? Perhaps their spirit of loyalty may save them in parliament from punishment, but their fraud and forgery will consign them to the execration and contempt of posterity.

“ Mr. O’Connell concluded, amid great cheering, by moving the following resolution :—

“ ‘ Resolved—That a sub-committee of twenty-one members be appointed to take into consideration the most proper method of investigating, and respectfully submitting to parliament, the alleged forged and fictitious signatures to the petition against the Catholic claims, to the House of Commons, by the Lord Mayor of Dublin.’

“ Major Bryan seconded Mr. O’Connell’s resolution, which was agreed to unanimously.

“ The following are the names of the gentlemen who compose the committee :—

Mr. Finn,	Mr. Cox,
Mr. H. E. Taaffe,	Mr. T. Dillon,
Mr. N. Mahon,	Mr. Wade,
Mr. Lynch,	Mr. R. O’Gorman,
Mr. P. O’Gorman,	Mr. R. O’Brien,
Mr. Doyle,	Dr. Dromgoole,
Mr. Rooney,	Major G. Bryan,
Mr. Lyons,	Mr. T. Kirwan,
Mr. Murphy,	Mr. O’Connell,
Mr. Fitzsimon,	Mr. Scully,
Mr. Costigan,	Mr. Weldoq.
Mr. Coyle,	

“ ‘ Resolved—That the committee be directed to request the aid of such of our Protestant brethren as may be pleased to assist in accomplishing the object of their report.’ ”

The Catholic meetings of this year, in the counties of Ireland, renewed the expressions of confidence in Mr. O’Connell with which he had been favoured in the preceding. Among several, we copy the following :

" COUNTY GALWAY MEETING.

"County Hall, Galway, Sunday, April 5, 1813.

" Moved by Lord Ffrench, and carried by acclamation—

" ' That the thanks of this meeting are justly due, and are hereby given, to Daniel O'Connell, Esq., for the manly, great, and unceasing exertion of his high talent in the support of everything dear to Catholic character: as well as for the use he loyally and honourably makes of every means to promote Catholic Emancipation.' "

The question of the "securities," as they were called, with which the pending bill for relief of the Catholic disabilities was clogged, increased momentarily in interest during the month of May. The strongest feeling against them had arisen in the popular mind; and the great anxiety was, to know what would be the decision of the Catholic Prelates, who were expected to arrive in Dublin, for consultation, towards the end of the month.

Meanwhile, symptoms of division began to appear among the laymen at the Catholic Board. The nature of it will be best conveyed in the extracts we subjoin from speeches at a meeting of the board on the 22nd of May.

" CATHOLIC BOARD,

" Stationers' Hall, Saturday, May 22.

" Right Hon. Lord Trimleston in the chair.

" After a motion of Mr. O'Gorman's, declaring that the Catholics put no belief in a calumny circulated against the Messrs. Guinness, brewers, to the effect that they had signed the no-Popery petition of the Dublin Corporation,

" Mr. Bagot rose to move as follows:—

" ' That in the proceedings which took place at the Catholic Board, upon Saturday, the 1st of May, instant, no motion was entertained relative to the Catholic bill now pending in parliament: nor was any resolution adopted that could be interpreted to convey the sense of the board thereupon.' "

The meeting to which Mr. Bagot thus adverted was one conducted with closed doors—so far as the reporters of the public press were concerned—"a wish having been expressed," according to the *Dublin Evening Post* of May 4, "by some of

the speakers, that (in the then stage of the bill) nothing should emanate from the board that could possibly, by verbal inaccuracy, be perverted by any adversary, or mistaken by a friend."

The *Evening Post*, however, added:—"Without infringing on the delicacy manifested by individual members, we feel ourselves at liberty (and, indeed, bound by a public duty) to disclose the *substance* of these proceedings."

And, accordingly, it gave a *summary* of the proceedings; which, as having been furnished by Mr. O'Connell, we here insert:

"The ecclesiastical provisions of this bill, or proposed securities, formed no part of the discussion—directly or indirectly. From this branch of the subject, every member of the board scrupulously abstained; leaving it, where it may be safely confided, in the hands of the Catholic hierarchy.

"But, with respect to the civil enactments of the proposed bill—those which profess to grant to the Catholic body a complete emancipation, and to effect the declared purpose of parliament by a final adjustment, and by burying all religious jealousies in oblivion—this subject was treated with equal freedom and acuteness.

"First—It was observed, and with regret, that although the Catholics have latterly petitioned the legislature for religious freedom, upon the enlarged basis of justice and universal liberty of conscience, praying relief equally for all classes of Dissenters as for themselves, yet the proposed bill is narrowed in *its principle to the relief of the Catholics alone*, which is the more to be regretted, because the Dissenters, by their uniform liberality and recent aid afforded to the Catholic petitions, had acquired weighty claims upon the gratitude and co-operation of the Catholic body; and it was therefore desired to be understood, now, as heretofore, to be the wish of the Catholics to have all other Dissenters comprehended in the like relief with themselves.

"Second—But even though the framers of the bill should (contrary to the wish of the Catholics) adopt the less-comprehensive principle, yet the proposed bill does not go the length of complete religious freedom, even for the Catholics themselves. It had long been understood that (whenever the necessary ecclesiastical securities should be devised) no difficulty could remain in the way of the complete civil

emancipation of the Catholic body. There was to be a *final adjustment* that should leave no grievance unredressed, no ground for future petition. The account of oppression was to be finally closed by a *simple Repeal*. So it has been all along expected, not merely by the Catholics but by the Protestants. Even the loudest of the opponents objected to relief, not so much because exclusion ought to remain as because security was not provided; so, too, in the preamble of the bill under discussion.

“But here is ample security provided, and yet ample redress is *not provided*.”

“These ought to be co-extensive; they are *not so*. The bill is only for a partial Repeal. True, it restores much, but it leaves much. This cannot be the intention of the liberal and enlightened members of the committee; but, probably, is owing to some unskillfulness of the lawyers they have employed, probably not much acquainted with the laws or interests of Ireland.

“Amendment in this particular should be provided, and defects pointed out, if not now too late for interference.

“Third—The *frame* of the bill appeared objectionable. It professes to relieve the Catholics from certain specified penal statutes; yet it does not, in the accustomed technical form, repeal those statutes by express name or recital, but by general words, which may hereafter receive a harsh interpretation. Of this Dr. Duigenan's court has afforded an instance!

“Fourth—the *language* of the bill, too, appeared inadequate to the intended objects. Of this inadequacy many instances were adduced, and excited a general surprise amongst the members.

“Fifth—It was observed, that the oath contained in the proposed bill contains (in addition to the entire of the present oaths) certain new phrases, which have not been sufficiently considered by the Catholics, or even offered or known by them.

“Sixth—That there is a blunder in more than one passage of the bill, where it adverts to a declaration against transubstantiation; and also to a declaration against the invocation of saints; whereas, in fact, there is only one declaration.

“Seventh—That the clause relative to the elective franchise is become now quite unnecessary for the Irish Catholics, and must have been penned without acquaintance with the Election Code of Ireland.

“Eighth—That the exception of the offices of Chancellor of Eng-

land, and Lord Lieutenant of Ireland (though but two in number), appears to be founded upon a principle of exclusion, which the Catholic body cannot, as good and deserving citizens, be expected even to recognize.

“Ninth—That the enactment for admission into corporations keeps the Catholics, practically, still excluded; as it leaves them at the mercy of present and future by-laws of exclusion; omits the words ‘charter or by law;’ employs only the vague and disputable term ‘members of a corporation,’ instead of the legal names of the corporate officers; provides no redress in case of refusal to admit freemen; and, finally, leaves the offices of directors of the Bank of Ireland, for instance, still closed against Catholic wealth and probity.

“Tenth—That, by continuing the exclusion from the universities, and from even the lay-fellowships and offices therein, it denies to the Catholic body all participation of the benefits of education to be enjoyed in those highly-endowed establishments.

“Eleventh—That this same clause, by its operation, disables Catholics from the higher offices of the law: as those of judges, masters in chancery, &c.

“Twelfth—It leaves the Catholic peers of Ireland still incapable of voting at the election of any representative peer of Ireland.

“This is another proof of unskilfulness in the framer of the bill; for the committee could not have *designedly* continued this disability.

“Thirteenth—It leaves the Catholics still a prey to the pillage of church rates, vestry cesses, &c., so grievously felt by the farmers, cottiers, and peasantry of Ireland.

“It was thought needless to remark on the importance of *this* omission.

“Fourteenth—It still subjects them to the long oaths imposed by Dr. Duigenan’s presentment in 1793. And no Catholic is to acquire, enjoy, or transmit any freehold property; to be a guardian, &c.; or scarcely to exist in civil life without publicly taking and subscribing these oaths.

“This hardship, it was observed, was most galling, and personally inconvenient in many instances.

“Fifteenth—Many other omissions, doubtful phrases, and imperfections were commented upon.

“It appeared to be the general sense of this enlightened meeting that, however upright the views and estimable the characters of the

members of the committee may be (and this was fully acknowledged), they had produced a bill which was in its principle restricted, in its frame unnecessarily doubtful, and in its provisions inadequate to that full relief which has been expected by the public of all classes, and was apparently intended by the parliament, and probably by the committee itself.

“During this long and arduous discussion, of which we can, of course, present but a faint outline, not one single sentiment of disrespect towards any individual of the committee who prepared this bill, was offered to the board.

“On the contrary, their intentions were admitted to be as sincere as their views were liberal, and there appeared to exist no doubt at the board, but the imperfections of this bill would yet be removed if any opportunity should remain.

“Under all these circumstances, the board felt the propriety of nominating additional delegates, who should repair to London directly, and attend to the progress of the bill.

“Mr. O'Connell's motion for the immediate departure of the delegates, previously appointed, having passed unanimously, that gentleman moved next—

“ ‘That the additional delegates should be—

SIR EDWARD BELLEW,
MAJOR BRYAN,
MR. BAGOT,
MR. SCULLY.’

“These gentlemen, with the addition of Mr. O'Connell, were, on ballot, unanimously elected.

“MONDAY, MAY 3.

“We observed this day, and with deep regret, a striking instance of the mischievous operation of the recent resolution (carried during the recess), requiring that the number of *thirty* should be present before the chair could be taken.

“The Earl of Fingal, Lord Killeen, Sir Edward Bellew, and several other gentlemen appeared in the rooms, at a little after two o'clock. The secretary, Mr. Finn, attended, and produced a letter received from Mr. Hay, accompanying a compared copy of the Catholic bill. This important document excited general attention

and interest; *yet no business could be done*—no chair could be taken, *because only twenty-eight* members could be counted!!

“At length, by sending expressly for two mercantile gentlemen from 'Change, the magical number was procured, but *not until a quarter past four o'clock!*”

“At this hour the Earl of Fingal was called to the chair.

“The bill was read distinctly, and appeared to correspond with the detail already given. Many of the former observations were repeated and corroborated.

“It appeared to be the general wish and understanding of the board, that Messrs. Scully and O'Connell should professionally take the bill into their consideration, and report their opinions upon it. However, no formal resolution to this effect was proposed, on account of the standing order, which required a week's notice of every motion.

“Other motions proposed were met by the same impediment; but it is probable that some effective proceedings will take place at the adjourned meeting next Saturday.

“At the present crisis, the Catholic Board and its proceedings must fix every eye, and command the earnest and primary attention of the Irish people.”

Such was the publication which excited Mr. Bagot to make the motion he did, at the meeting of the 22nd May, and he was not without many supporters amongst those who either did not really understand the delusive and insulting nature of the bill, or who, for private motives, were not unwilling that it should pass “with all its imperfections on its head.”

Mr. Bagot contended, that though opinions had certainly been expressed on the bill, during the meeting alluded to in his resolution—viz., that of the 1st of May, yet that no express declaration of the sentiments of the board on the subject had been there come to.

Mr. Scully agreed that this was the case so far as that no formally-worded motion had passed in condemnation of the bill, but argued that the weight of opinion against it had been evidenced; and that the motions which passed unanimously on the day mentioned, for the immediate departure, to London, of the delegates previously appointed, and for an addition of five

to their numbers, did so pass, because of the condemnation of the bill by the board; and were, therefore, to be considered, and had been considered, as decisive proofs of that condemnation.

Mr. Byrne having expressed some approval of Mr. Bagot's motion, and Dr. Sheridan having spoken to the contrary effect—

“Mr. O'Connell rose and said, he hoped the object of the present motion would be distinctly understood and fairly canvassed. For his own part, he was resolved not to leave any doubt respecting his view of the subject, or the grounds of his opposition.

“It had been called by Mr. Byrne ‘a motion of conciliation and harmony.’ It struck him to be a motion of censure and dissension. It ran in these words:

“‘That on Saturday, the 1st of May last, no motion was entertained by the board, relative to the Catholic bill, nor any resolution adopted.’

“With respect to the first part of this motion, it contains an assertion which I most distinctly deny. The Catholic board did entertain a motion on that day, relative to the Catholic bill. I myself made a motion that day relative to the Catholic bill, and it was discussed at great length. I moved for an additional delegation to attend to the progress of the Catholic bill through the House—to suggest to our parliamentary friends omissions in the principle of the bill—alterations in the frame of the bill—additions in the detail of the bill. This, my motion, which related to the Catholic bill, and to nothing else, was supported by me on the grounds of the manifest and manifold imperfections and deficiencies in this bill; that motion was entertained and was acceded to upon the very Saturday, the 1st of May, 1813, on which the board is now called upon to declare that no such motion was entertained. (Hear, hear.)

“And why is this plain and direct departure from the fact pressed upon us? Because, indeed, one of our newspapers, the *Dublin Evening Post*, has given offence, it seems, to the delicacy of some of our members. And it is sought thus to impute falsehood to its report of the proceedings of that day. But that paper is too valuable—too precious to the Irish people, whose champion and whose protector from oppression it has ever been, to be abandoned to any censure however undeserved. (Hear, hear.)

"No, my lord, we will never forget—the independent Catholics of Ireland will never forget, that if money could purchase or authority influence, or power intimidate the proprietor of that paper, he would long since have joined the vile slaves of the vile press of our vile oppressors. (Cheers.) But it is not out of gratitude to him that I demand the rejection of the present motion; it is simply from an adherence to plain matter of fact, that it will, and I venture to say, *must* be rejected. (Hear, hear.)

"It will be rejected, because the mover laboured under an entire misapprehension of the fact, when he drew it up. It will be rejected, because it implies an unfounded and unmerited censure on the report published by the *Dublin Evening Post*. The motion implies the inaccuracy of that report. I assert its perfect accuracy. I pledge myself to the Catholic board and to the people of Ireland, for its entire, perfect, and indisputable accuracy. (Loud cries of hear, hear.) That report purported to give a summary of the objections made on the day in question, Saturday, the 1st of May, to the Catholic bill. It did not include one expression in that summary, but what had distinctly fallen either from me, or had been much better expressed by my friend Mr. Scully: We had seen the draft of the bill that morning. Our professional pursuits and habits gave to us, of course, a greater facility than others possessed, to form a judgment of it; and we felt it our duty to express to the Catholic board those objections, which the *Dublin Evening Post* has since given to the public.

"I do, therefore, avow, and take upon myself the entire responsibility of that summary of objections to the Catholic bill. I appeal to all those who were present on that day, to confirm my statement; and I commit my most solemn pledge of veracity to those who were absent, for the truth of the report which this motion seeks—covertly seeks to censure.

"[Here Mr. Bagot interrupted Mr. O'Connell, by declaring that he did not intend 'any censure, nor a contradiction of that report.' That his object was merely 'to have it understood in England that no resolution had been as yet adopted by the Catholic board respecting this bill.']

"Mr. O'Connell resumed by expressing his satisfaction at the explanation that no censure had been intended.

"My object (continued he) is no other at present, than to resist that of the motion which is contradictory of the fact; and it seems to impute falsehood to a report warranted by the plainest truth,

and now declared unimpeachable by the respected gentleman himself. Let the motion be so shaped as to correspond with his disclaimer of censure and contradiction. I am sure the gentleman is entirely incapable of any the slightest approach to a deviation from the strict truth; and I was convinced that he would be the first to abandon any proposition which could, by any possibility, imply a contradiction of that which really did occur. If his motion can be shown to have been rendered necessary by the existence, or by the reported existence of any heats or animosities, it should have my decided support. But were it to be taken, as intended, to be a means of impugning the opinions of those individuals, whose affections for their country and their cause had prompted them to express their opinions freely upon the new bill, or what has, I am glad to say, been denied, a means of impugning the newspaper report, and obtaining a petty triumph over a newspaper writer, it should have my most decided opposition. I am ready, if he choose, to accede to a motion shaped according to what was fair and open. Although I do not see the necessity for any such motion, yet if the respected gentleman, who has raised this discussion, will leave out all mention of Saturday, the 1st of May, and confine himself to something expressing simply this—

“ ‘That the board has not hitherto come to any resolution, declaratory of its sentiments on the Catholic bill,’

“ I will have no objection to second him. If he shall not think fit to adopt my suggestion, I will move it as an amendment. He says, a motion of this tendency may be useful. Not seeing its utility, I am, however, ready to concede to his judgment; and although I never heard it asserted, neither have I seen it alleged by any newspaper that such resolution was adopted, yet as my motion will contain a plain truism, and precisely square with the objects which the gentleman has so distinctly avowed, I do expect that the respected gentleman will substitute it for his own.

“ Mr. Bagot again rose and declared, that he was ready to adopt Mr. O'Connell's amendment. He then withdrew his original motion, and moved that suggested by Mr. O'Connell.

“ Mr. N. Mahon said, he thought the amended motion was equally objectionable with the original, because it would be considered as implying an approbation of the bill in its present shape.

“ Mr. O'Connell said he rose to second the motion, as amended by Mr. Bagot, and he would not have added a single word, but for

what had fallen from Mr. Mahon. It really surprised him that the accurate mind of Mr. Mahon could be misled for one moment on the subject. This motion implies an approbation of the bill—of the entire bill—in the present shape! I can assure my friend, Mr. Mahon, there is not a man living would be so far from agreeing to any motion, implying such approbation, as I should; I must be guilty of a foul dereliction of the duty I owe to my country, if I approved of it. I do approve of the spirit of conciliation which the introduction of this bill has evinced; I do approve of the motives and of the exertions of its supporters; but I disapprove of the narrowness of principle on which the bill was framed, and the scantiness of real relief which it will bestow. The objections which I stated to it, on the 1st of May, do, most of them, still continue in my mind, and the principal and leading objections are confirmed, and put beyond any doubt, by my subsequent consideration and examination.

“I have read the opinions of our venerated advocate, Grattan, upon those objections. The newspapers have told us his opinions, and I regret to be obliged to say, they are unfortunately unfounded; I see that he has been deceived; not being a practical lawyer, it was easy, in this respect, to impose upon him; and I also see the precise process of that deception on his mind. Instead, therefore, of supporting any resolution approbatory of the frame of the bill, I came here this day, prepared with the chapter and section of the various statutes, which will prevent the desired and the proposed operation of the present bill, when it shall have passed into a law. As Mr. Lawlor’s motion has been discharged this day, I will, on Saturday next, submit them to the board, in order that you may consider the propriety of communicating them, through our delegates in London, to our friends in parliament.

“This motion, my lord, does not contain anything like an approbation of the frame of the bill. I told you, that I myself do not approve of that frame as it relates to our civil liberties, much less could I give it my approbation, as it relates to the patronage of our church. Upon this subject I have only to say, that the more I consider of it the less am I satisfied. But I would not further press the subject, than to say, that before we meet again, the Catholic prelates of Ireland will have decided this matter. Should they decide against the proposed commission, they shall have my most hearty support; should they decide in its favour, I still reserve to myself, on every fit occasion, the right to protest against any measure that may tarnish this last relic of national independence—this last

fragment of the ancient pride and greatness of imperial Ireland—the independence of her church and of her people. (Much cheering.) I shall reserve to myself the right, not as a Catholic, nor with any sectarian reasoning, but as an Irishman, and a freeman, and a lover of liberty, to impugn any arrangement which may increase the already enormous influence of the Crown, by giving in the additional power and authority which it must derive from an influenced clergy. (Cheers.)

“How, then, can my friend, Mr. Mahon, than whom I know not a more honest or more zealous Irishman, how can he impute to me an intention to express approbation of the present bill, in its present frame? I only conjure the meeting not to attribute any such intention to me, and I place my present support of Mr. Bagot's motion upon those two grounds—first, that in this shape, it neither contradicts nor impugns the proceedings which took place on the first of May, in the board, nor any report of those proceedings (Hear, hear); and, secondly, that it does not imply any approbation of the present frame of the Catholic bill, whilst it does assert the neutrality, not of our discussions, but of our resolutions on the subject. (Hear, hear.)”

On Mr. Bagot's motion, as amended by Mr. O'Connell, a further amendment was moved—viz., to adjourn. That being lost on a division of 35 to 24, Mr. Bagot's amendment was carried.

The next business of the meeting was a report brought up by Mr. O'Connell.

“Mr. O'Connell said that it was a duty with which he had been honoured, to report from the Law Committee. It would be recollected that, at that period of the Richmond administration in Ireland, it was resolved to impede the Catholics in their undoubted right to petition parliament, the last unarmed refuge of the oppressed. (Hear, hear.) At that period when, in order to continue the degradation of the Catholic, the Protestant was told gravely and from authority, that pretence meant purpose—at that period, when the administration commenced its state prosecution, under the pretence of punishing a violation of law, but for the vile purpose of gratifying the malignant rancour of transplanted and hereditary bigotry—at that period of the arrest of the delegates, it was felt that their defence became not an individual, but a national concern; and the Law

Committee was framed to superintend, and manage, and defray the expenses of that defence.

"In now reporting from that committee, he was directed to state that they had approved and sanctioned the actions against the Chief Justice. One of these actions, that at the suit of Mr. Taaffe, had been argued upon a plea that asserted the right of the defendant, as Chief Justice, to arrest any individual at his caprice. This plea had been held a good defence by three judges against one. But that one, the ever incorruptible Fletcher, had pronounced a judgment against the plea, which, for depth of legal research and constitutional knowledge, for strength and splendour of argument and eloquence, had seldom been equalled—never had been excelled. (Hear, hear.) Supported by his honest and able judgment, and by the strong conviction that the assertion of the arbitrary power alleged by the defendant, was as inconsistent with the first principles of the constitution, as it plainly was with every notion of individual liberty or safety—the plaintiff was advised to bring, and he has accordingly brought his writ of error, and the record has been removed to the court of Exchequer Chamber, in which the twelve judges preside.

"In this stage of the proceedings a new era has commenced; parliament, so long deaf to our complaints, has proclaimed a disposition to conciliation and harmony. The right of the Catholics to equal liberty has been recognised—their claim to freedom of conscience has been allowed. It stands confessed that they ought not any longer to remain an inferior or a degraded people—that they ought not to be treated as aliens and strangers in this their native land. Under these impressions a bill has been brought in, questionable, certainly, as to the extent of its relief, but leaving no doubt as to the purity of the motives and intentions of its supporters. This bill holds out the olive branch, and we ought to accept of it in the very spirit of conciliation and gratitude. (Hear.) Nay, our gratitude ought not to be merely commensurate with the measure of the intended relief. It should exceed even the hopes of our friends, and manifest itself in all our conduct. In this view of the subject, and with this spirit, I am directed to report to you the unanimous opinion of the Law Committee, that the actions against the Chief Justice should be discontinued—that we should concede to the offer of friendship, that which no exertion of power could extort from us, and give the first proof of our anxious wish to bury every irritating recollection, and every past injury, in an eternal oblivion. (Hear, hear.)

"There were two objections started to the proposed measure—the

one was of a public, the other of a personal nature ; the reason which affected the public was, that we owed it to the country not to acquiesce in a doctrine and a decision which went to establish an arbitrary power in the Chief Justice ; and that this decision would stand as a bad precedent upon which future chief justices might oppress with impunity ; therefore, it was suggested, we ought to have tried every court of appeal before we abandoned so important a discussion.

“ The weight of this reason was certainly felt, and felt strongly ; but as it was, at the same time, felt that the motives which induced an acquiescence in this decision would go down to posterity with the decision itself, and what was still better, that it would be accompanied with all those arguments of law and reason with which it had been combatted by one of the purest men and of the ablest lawyers that ever ornamented the bench, Mr. Justice Fletcher. When it was considered that any mischief to public liberty, which may be apprehended from this judgment, would be thus powerfully counteracted, it was our ultimate opinion, that the possibility of such mischief ought not to prevent our making this sacrifice to the infant genius of harmony and conciliation.

“ The personal argument against abandoning these actions belonged to the defendant himself ; the extraordinary character for piety and sanctimony of life, which his flatterers and parasites have attempted to confer on him, did certainly give to his volunteering his services, in the arrest of the delegates, a weight and importance which the act of the ordinary police justices would not have had. For this extra judicial interference much resentment was, of course, retained ; and I do most entirely agree with those who observed upon the extreme indelicacy of any judge declaring an opinion as a magistrate, and taking a part, out of court, in that which was afterwards to be brought before him for his deliberate and judicial opinion. Yet such was the conduct of Mr. Downes upon our great question ; and, as far as relates to him personally and individually, there certainly is nothing in the tenor of his conduct, as a public man, that could justify or require our making any concession to him. As an individual, his country owes him nothing—the Catholics owe him still less. Amongst his dearest friends, in private life, are our bitterest enemies. All these powerful motives, and many more which, at any other period, I would readily recapitulate, but which I now gladly omit, urged and pressed the continuation of these actions. But the Law Committee felt that Mr. Downes filled the high office of Lord

Chief Justice of Ireland—that to his high station great reverence was due—that the Bench would soon cease to be respectable unless it was respected; and, after all, that it suited the dignity of the Catholic people of Ireland to forgive and to forget the act of the individual, and in regard for his great function, to abandon every pursuit inconsistent with its ease and tranquillity. We do, therefore, in the anxious desire to commence an era of mutual forgiveness and forbearance—in the sincere wish of seeing every angry passion yield to the conciliating temper of the time—in the hope of affording an example to be imitated—in the affectionate solicitude to terminate, on our part, all cause of dissension, all excitement to animosity—in the determination to join and to precede in conciliation and in the oblivion of injuries, and in the spirit of peace and harmony, we do recommend, that the actions against the Chief Justice be discontinued and terminated for ever. (Hear, hear.)

“Mr. O’Connell concluded by moving, ‘that under the existing circumstances of public affairs, it be recommended to the plaintiffs, in the actions against the Chief Justice, to discontinue the same forthwith.’

“Mr. N. Mahon seconded the motion, and it was carried without a dissentient voice.”

Of course this generous act on the part of the Catholics—this evidence of their anxious desire to conciliate—to forget grievous offences against their country and themselves, the first moment that a gleam of hope was given to them, met with as bad a return, and was mocked at with as much of vulgar glee, by the ascendancy faction, as was the case with many and many a similar demonstration on their part before, and has been many and many a time since.

“In your patience you shall possess y^eur souls,” says the Divine authority.

“In your patience you shall possess your country,” would seem to be, in the minds of the Catholics of Ireland, the application of that divine saying.

Never men of any other clime or creed have shown such patience—patience wondrous, were it not *Christian*! Never men have so borne or forborne foul and cruel insult and wrong, checking the strongest impulses that can excite men, controlling the fiercest passions that can impel the human energies,

willing always to be conciliated, willing always to forget the past, hoping on, hoping ever, *but not doomed ever to hope in vain*, for that most beatific interposition of Providence that shall bring Irish hearts together, and unite all in one common thought, and in one common noble effort for the regeneration of their common country.

No where but in Ireland has this grand national virtue of Fortitude been so eminently shown; and little is risked in asserting, that no other people of the present time would be capable of displaying it in anything like the same degree.

The English could not. Were there no other differences, their besetting sin of pride would incapacitate them for receiving with meekness, the stern yet saving lessons of adversity.

The blood-instincts of the tiger have been too much awakened in French and Spanish breasts, by the events of the last half century, to allow a hope that they shall, for a long time yet, be found willing to adopt and follow out the peaceful, stainless, crimeless course by which the Irish are seeking a relief from oppressions, and an enlargement and secure establishment of popular liberties.

The mud and mire of infidelity have quelled and damped down into fetid smoke well nigh all that there was of Promethean fire in the hearts of the dreaming Germans; and their political redemption, whenever it may come, shall not have been earned by the display of any of the nobler and higher qualities of the soul.

Of the Russians we need not speak. Of the poor Poles much might be said, but it wrings the heart to speak of them. Of the Austrians, so far as distinguishable from the German, it is hard to speak; for the nature of their government has so repressed all exhibition of opinion and temperament, that one scarce knows whether they are in fat contentment in their childlike thralldom, or are patiently bearing with grievances and deprivations of rights until it may be lawful and practicable without crime to put an end to them.

In America, the continuance and fostering of negro slavery, the repudiation of just debts, the Texas robbery, the exterminations being carried out against the Indians, the Lynchings, the mobbings, sacking of convents, burning of churches, and other

such sad facts, have left such blots on the national character, that men are getting incredulous as to whether there can be aught of good behind.

Bright may be—bright, in all human probability will be—the history of our beloved country after she shall have attained her rights.

But no destiny that is yet before her, howsoever brilliant and exalted, can ever shed such pure and glorious radiance on the name of Irishmen, as their unflinching, indomitable, most Christian patience and fortitude in adversity and under persecution!

In order that the reader may have the opportunity of judging for himself of the nature of the bill for Catholic relief that was now under discussion, we subjoin a brief summary of its general provisions, and a more particular statement of the obnoxious clauses.

After a wordy preamble, declaring the inviolability of the Protestant succession and the Protestant Church Establishment, and professing great good will towards the Catholics, the measure proposed

To admit the latter to seats in parliament, on taking an oath similar to that at the present time actually taken by Catholic M.P.'s, with the insulting addition of express renunciations of the anti-loyal and anti-social doctrines calumniously imputed to persons of that communion.

To admit to all offices and situations, civil and military (on taking the same insulting oath), except to those of Lord High Chancellor, Lord Keeper, or Commissioner of the Great Seal of Great Britain, Lord Lieutenant, Lord Deputy, or other chief governor or governors of Ireland.

Offices in municipal corporations also opened.

The next clause ran thus :—

“ And be it further enacted, that every person now exercising, or who shall hereafter exercise any of the spiritual duties or functions usually exercised by persons in Holy Orders professing the Roman Catholic religion, shall within six calendar months from the passing of this act, or within one calendar month after entering into Holy Orders, and before he shall exercise any of the spiritual duties or

functions aforesaid, take, make, and subscribe the oath and declaration in this act contained, and also the oath following.

“ ‘I A. B. do swear, that I will never concur in, or consent to appointment or consecration of any Roman Catholic Bishop, or Dean, or Vicar Apostolic in the United Kingdom, but such as I shall conscientiously deem to be of unimpeachable loyalty and peaceable conduct; and I do swear, that I have not, and will not have any correspondence or communication with the Pope or See of Rome, or with any court or tribunal established, or to be established by the Pope or See of Rome, or by the authority of the same, or with any person or persons authorized or pretending to be authorized by the Pope or See of Rome, tending directly or indirectly to overthrow or disturb the Protestant Government, or the Protestant Church of Great Britain and Ireland, or the Church of Scotland, as by law established; and that I will not correspond or communicate with the Pope or See of Rome, or with any tribunal established or to be established by the Pope or See of Rome, or by the authority of the same, or with any person or persons authorized or pretending to be authorized by the Pope or See of Rome, or with any other foreign or ecclesiastical authority, on any matter or thing not purely spiritual or ecclesiastical.’ ”

This was followed by provisions as to the manner of taking the oath aforesaid; and then, after clauses requiring that no foreigner should “be capable of exercising any Episcopal duties or functions, or the duties and functions of a Dean,” and enacting the punishment of *banishment* against any foreigner assuming these duties and functions: and the same punishment against any *native* born subject, who should assume them without having been previously resident within the United Kingdom, during “five years next preceding his first exercising them,” came the following gross insult:

“ And whereas it is fit and expedient that such further precautions should be taken, in respect to persons in Holy Orders professing the Roman Catholic religion, who may at any time hereafter be elected, nominated or appointed to the exercise or discharge of Episcopal duties or functions, or of the duties or functions of a Dean, within the United Kingdom, as that no such person shall at any time hereafter assume the exercise or discharge of such Episcopal duties or

functions of a Dean, within the United Kingdom, as that no such person shall at any time hereafter assume the exercise or discharge of such Episcopal duties or functions or any part thereof, whose loyalty and peaceable conduct shall not have been previously ascertained to the satisfaction of his Majesty, his heirs and successors; and whereas it is reasonable and necessary that his Majesty, his heirs and successors, should be fully informed of the extent and nature of any intercourse which may take place between the subjects of this realm and any foreign power, in order to prevent any evils or dangers to the state which might arise therefrom: And whereas the laws made in former times against intercourse between the subjects of this realm and the 'Sec of Rome are of extreme and undistinguishing rigour and severity: Be it therefore enacted, that it shall and may be lawful for his Majesty, his heirs and successors, by two several commissions, to be issued under the great seal of Ireland respectively, to nominate and appoint in Great Britain such person or persons, in Holy Orders, professing the Roman Catholic religion, and exercising Episcopal duties or functions with Great Britain, and such lay peers professing the Roman Catholic religion (such commoners being respectively possessed of freehold estates in land in Ireland of not less than £1,000 a-year, or of £20,000 in personal property), and such members of his Majesty's most honourable Privy Council in Ireland (whereof one of his Majesty's principal secretaries of state for the time being shall be one), as his Majesty, his heirs and successors, shall from time to time think fit; and to nominate and appoint in Ireland such persons in Holy Orders, professing the Roman Catholic religion, and exercising Episcopal duties or functions in Ireland, and such lay peers, professing the Roman Catholic religion (such commoners being respectively possessed of freehold estates in land in Ireland of not less than £1,000 a-year or of £20,000 in personal property), and such members of his Majesty's most honourable Privy Council in Ireland (whereof the Chief Secretary of the Lord Lieutenant, or Lord Deputy, or other chief governor or governors of Ireland for the time being shall be one), as his Majesty, his heirs and successors, or the Lord Lieutenant, Lord Deputy, or other chief governor or governors of Ireland shall from time to time think fit, to be commissioners under this act, in Great Britain and Ireland respectively, for the purposes hereinafter mentioned.

“ Provided always, and be it further enacted, that in Great Britain one member of such board shall be either his Majesty's said principal Secretary of State, or one other member of his Majesty's most honour-

able Privy Council, being a Protestant; and one other member of said board shall be one of the Ecclesiastical Roman Catholic commissioners aforesaid; and that one other member of such board shall be one of the lay Roman Catholic commissioners aforesaid: And that in Ireland one member of such board shall be either the Chief Secretary of the said Lord Lieutenant, Lord Deputy, or other chief governor or governors of Ireland, or one other member of his Majesty's most honourable Privy Council in Ireland, being a Protestant, and that one other member of the said board shall be one of the Ecclesiastical Roman Catholic commissioners aforesaid; and that one other member of such board shall be one of the lay Roman Catholic commissioners aforesaid.

"And be it further enacted, that, in Great Britain, his Majesty's said principal Secretary of State, or, in his absence, the commissioners first named in the said commission for Great Britain; and in Ireland, the said Chief Secretary to the Lord Lieutenant, Lord Deputy, or other chief governor or governors of Ireland, or, in his absence, the commissioner first named in the commission for Ireland, shall be the presidents of the said boards respectively.

"And be it further enacted, that it shall and may be lawful for his Majesty, his heirs and successors, from time to time, at his and their will and pleasure, to revoke and determine the commissions aforesaid, or either of them, and to cause a new commission or commissions to be sealed as aforesaid, appointing any other person or persons to be commissioners and members of the said board."

It would seem that the concocters of the Bequests and Colleges' Acts of 1844-45 borrowed a leaf from the insulting bill of 1813, with regard to the power of the Crown over commissioners of Catholic affairs.

The monstrous attempt was happily frustrated in 1813. Let us trust that it will be equally frustrated in 1846. That liberty in matters having reference to religion, for which the Catholics of Ireland have so long suffered and struggled, ought not to be lightly imperilled merely because English governments, hitherto hostile, have found themselves compelled, by the noble attitude of the Irish people, to put on the semblance, and only the bare semblance, of conciliatory dispositions.

Provisions for taking the oaths of office, making of by-laws, receipt of salaries, &c., succeeded; and, after them, another of the grosser insults of the bill:—

“And be it further enacted, that, from and after the passing of this act, no person, in holy orders, professing the Roman Catholic religion (other than such as are already in the exercise of Episcopal duties or functions of a Dean, within the United Kingdom) shall assume the exercise of Episcopal duties or functions of a Dean within the United Kingdom, or any part thereof, unless the name of such person shall previously have been notified, in writing, to the President of the Board of Commissioners, by this act appointed, in Great Britain or Ireland (as the case may be), and until the said person shall have received the signification of his Majesty's approbation, or of the approbation of the Lord Lieutenant, Lord Deputy, or other chief governor or governors of Ireland, in manner hereinafter-mentioned.

“And be it further enacted, that the President of the said Board of Commissioners, in Great Britain or Ireland (as the case may be), shall, so soon as the name of such person, as aforesaid, shall have been so notified to him, as aforesaid, forthwith lay the same before the said Board of Commissioners; and that the said Board of Commissioners shall, within six weeks after such name shall have been so laid before them, report to his Majesty, or to the Lord Lieutenant, or Lord Deputy, or other chief governor or governors of Ireland (as the case may be), in writing, under their hands and seals, ‘whether they know or believe any thing which tends to impeach the loyalty or peaceable conduct of’ the person whose name shall have been so laid before them; and that upon such report, it shall and may be lawful for his Majesty, or for the Lord Lieutenant, Lord Deputy, or other chief governor or governors of Ireland (as the case may be), by and with the advice of the said commissioners, to approve or disapprove of the said person; and that his Majesty's approbation or disapprobation, or the approbation or disapprobation of the Lord Lieutenant, Lord Deputy, or other chief governor or governors of Ireland, as aforesaid, shall be signified to the said person, if in Great Britain, by an instrument under the hand and seal of one of his Majesty's principal secretaries of state, and if in Ireland by an instrument under the hand and seal of the said Lord Lieutenant, Lord Deputy, or other, the chief governor or governors of Ireland, or of his or their chief secretary, within ten days after such report, as aforesaid, shall have been so submitted to his Majesty or to the Lord Lieutenant, Lord Deputy, or other chief governor or governors of Ireland; and that such instruments respectively shall, in all such cases, set forth, ‘that the said royal approbation or disapprobation (or the said approbation or disapprobation of the Lord Lieutenant, Lord

Deputy, or other chief governor or governors of Ireland) has been given upon the report, and by and with the advice of the said Board of Commissioners,' in Great Britain or Ireland (as the case may be)."

Banishment was again prescribed as the penalty against any one assuming "duties and functions" before complying with the provisions just given.

Bulls from the Pope, dispensations or other documents from him or any other "foreign person or body whatsoever," were, within ten days after receipt, to be handed over to the commissioners appointed under the act, in order that their high mightinesses should decide whether there were any Gunpowder Plot in them against "the Protestant succession and Protestant government, and Protestant religion, as by law (and, as Cobbett used to add, '*by British bayonets*') established !!!"

Such was as briefly as it can be given the sum of this precious bill, for which the Irish Catholic nation was expected to be humbly and devotedly grateful!

Perhaps so precious a specimen of arrogant, tyrannous, vulgar insolence and assumption, was never before and scarcely ever since put forward under such unblushingly false pretences.

And yet this was one of the products of that admirable English wisdom, good feeling, and liberality which we are *told* we have so abundantly experienced since the loss of our own parliament—a parliament restricted, indeed, and exclusive; but yet a parliament that in less than twenty years, up to 1793, *passed* no less than *four* measures of real and generous relief to their Catholic fellow-countrymen: while the English parliament, after mocking the latter with several such illusory and insulting *propositions* as that we have been describing, delayed for twenty-nine long years their measure of concession, and then passed it with insult, and only through fear of a civil war!

What deep debts of gratitude do we not owe to England's legislative generosity! One scant measure of justice wrung from her after twenty-nine years of insulting denial; more insulting mockery of relief-bills claiming *securities* against *our treason*; and abundant profusion of Insurrection and Coercion acts and measures of injury and restriction!

Has the policy changed since 1829? Let us briefly run over events since, and examine.

Assuredly, it is a point of importance so to do; for there is an ominous tendency in the present times to investigate the condition of the international relations of the two countries; and it would be well, if possible, if practicable, to provide against the bitterness of such a review, by citing and making to stand out in the clear light of day, those instances, if such can be found to exist, in which a disposition was evinced to make some tardy reparation for the cruelties of centuries.

The Emancipation Act was accompanied by penal clauses against the regular clergy, who, by their fidelity during the times of persecution—when the establishments of their orders in other countries gave them means of education and preparation for the dangerous mission of Ireland, which the secular clergy possessed not—secured for themselves the everlasting affection of the faithful Irish people.

To strike at this admirable class of men, dear as they were and are to the Irish heart, was to strike at that heart itself.

The Emancipation Act was also accompanied by the petty spite of denying to Catholic Bishops the titles of their sees—restrictions to Catholic ambition with regard to three or four high offices of state, and the temporary exclusion from parliament of the chief lay Catholic who had compelled England to concede.

Also by the cruel and wholesale annihilation of the most extensive of the popular franchises—that of the true-hearted and devoted forty-shilling freeholders.

All these drawbacks seemed not to be considered enough to damp Catholic feeling at the moment of concession, without the very plain and unreserved declaration of Peel and Wellington, that they did not concede through favour or a sense of justice, but because they could not help themselves, and because they preferred concession to civil war!

A very striking proof was given here of the absolute contempt entertained for Irish public opinion.

This declaration of the ministers could (it was, of course, known) not fail to remove from the Irish mind all *gratitude* for

the extorted concession; yet Peel—the cautious, reserved, plausible Peel—scrupled not to make it!

He threw Emancipation to us as the surly master throws a bone to his spaniel—striking at him with the other hand while he feeds him!

We have had another instance of the same treatment from him lately. His Bequests and Colleges' Acts were introduced with great professions of anxiety for the welfare of Ireland; but he has since not scrupled, or perhaps we should say not *hesitated*, to avow, that his intention was to divide and distract us by our differences on the merits or demerits of those unhappy acts!

Peel went out of office in 1830, and the Wigs came in. How did they, and the British parliament under their auspices, act towards Ireland? What was the next step towards reparation of injuries—towards conciliation of justly exasperated feelings—towards binding the two countries together in one fast, indissoluble, enduring bond of affection?

A Coercion bill against Ireland—an unconstitutional, tyrannous, insulting, degrading Coercion bill, and at the very most insulting and irritating moment that could have been chosen.

The Irish representatives had devoted themselves to the cause of English parliamentary reform. They had, in a great measure, foregone the demands and necessities of their own aggrieved countrymen, to strengthen the hands in parliament of those English statesmen who were contending for the rights of the English people. They supported these men through thick and thin; and mainly by their aid it was, that parliamentary reform was carried for the English.

The moment it was passed, in the very first flush of the popular victory in England, while yet men were shaking hands and exchanging congratulations, and scarcely crediting their own senses, that the Dagon of Toryism, whose shadow had so long blighted their liberties, was smitten to the earth; that very moment, of all others, was chosen by the English Whig ministry and the English popular parliament, to strike down the struggling liberties of Ireland!

Mr. O'Connell is, at this day, taunted and reviled at for saying that England's distress is Ireland's opportunity! What can those

who taunt him, and who shun to meet the historic proofs she gives—proofs borne witness to by Pitt in 1817, by Huskisson in 1825, and other English statesmen themselves, that Ireland never yet obtained one concession from England, save under the pressure of adverse circumstances on the latter? What can his revilers say, or attempt to say, to remove the deep-seated conviction which these occurrences, the concession of Catholic relief through acknowledged fear of a civil war, and the invasion of popular liberties when England was in her hour of triumphant rejoicing, have made on our minds, that when she is strong she will tyrannize, and when she is weak she will crouch?

Parliamentary reform for Ireland was passed with actual *deprivations* of existing rights of voting, and complex and most injurious arrangements for the new rights given. The inequalities, on a comparison with the measure passed for England, were of the most glaring description, and all remonstrance was in vain.

Corporate reform, after years of hard struggling—three of them after England had obtained that measure—was at length accorded to Ireland, but in the most maimed and restricted degree. A shilling's rating qualifies a voter in Liverpool. A rating of ten pounds is required in Dublin.

English corporations elect their own sheriffs, and have voices in the appointment of municipal magistrates. In Ireland this is absolutely in the hands of the government.

When such were the *benefits* we have received from England, in these last sixteen years, has there been nothing on the other side of the account?

In 1837, Lord Stanley proclaimed the Irish people "*PER-JURORS*," and brought in a measure to rob them of their franchise, because he chose so to style them.

The note was caught up by the English press, and sounded throughout every part of England with cheering and encouragement. The *Times* added little amenities of its own against the Catholic priesthood of Ireland.

So strongly was the English mind excited on this subject, so congenial and acceptable were these calumnious and atrocious attacks on the rights and dearest feelings of the Irish, that the

decline of the Whig party within the House was greatly attributable to their not harking-in with the cry; and without doors their unpopularity was extreme from the same cause.

Session after session, until the Whigs lost office entirely, Stanley's motion was renewed (as must be in the recollection of our readers), and then, when the Tories had secured power for themselves, the insulting confession was made, not in words, but by conduct, that the calumnies against the Irish people had been used but as a means of bringing those into odium who had shown any disposition of kindness towards that people; and that no such real necessity existed as had been so repeatedly and fiercely urged for utterly robbing them of their franchises.

The Arms' Bill and the monster prosecution have been the evidences of English legislative and governmental *kindness* since the Tory advent to power. The Bequests and Infidel Colleges' Acts have (as we have before noticed) been passed with the confessed and avowed intention of dividing and distracting, and not of benefitting or conciliating Ireland.

On the poor law for Ireland we will not mock the misery of our country by dilating. Its proved inefficiency, and its insulting management are but too evident. Yet one remark on the manner in which Ireland was treated with regard to that measure.

A commission of talented and highly informed Irish gentlemen, laboriously investigated, and most ably reported on Irish distress, and the possible remedies that might be applied.

The English minister, a Whig, too, Lord John Russell, threw their report into the fire—sent over an English master of a merchantman to make a nine weeks' post-chaise tour through Ireland; and on *his* report alone, imposed upon this unfortunate country those poor laws which, under an immense variety of systems, have never yet been found successful in England.

With this glaring instance of the contemptuously reckless character of the English legislative intermeddlings with Irish matters, even where the most important interests are at stake, we conclude our brief digression. Assuredly, the Irishman who, on calmly considering the facts we have enumerated, can give or continue his assent to our miserable degradation, in being

thus mis-legislated for by another country, is undeserving of the name of Irishman, and scarcely even of that of man.

On the 27th of May, the Catholic bishops, assembled in synod, came to the following decisive resolutions against the so-called "Relief Bill":—

"At a general meeting of the Roman Catholic Prelates of Ireland, held this day, Thursday, May 27, 1813,

"Most Rev. Richard O'Reilly, D.D. President:—

"Resolved unanimously.—That, having seriously examined the copy of a bill, now in progress through parliament (purporting to provide for the removal of the civil and military disqualifications under which his Majesty's Roman Catholic subjects labour), we feel ourselves bound to declare, that the ecclesiastical clauses or securities therein contained, are utterly incompatible with the discipline of the Roman Catholic Church, and with the free exercise of our religion."

"Resolved unanimously.—That, without incurring the guilt of schism, we cannot accede to such regulations.

"Neither can we dissemble our dismay and consternation at the consequences which such regulations, if enforced, must necessarily produce."

(Signed)

"RICHARD O'REILLY, President."

Their lordships also agreed upon an address to the laity, to which we shall presently refer.

At the very time that they were meeting, however, the bill they thus solemnly denounced and protested against had been withdrawn from before parliament. The slowness of post-communications between London and Dublin had prevented their being made aware of the fact. Nor was the news received for two days after, although dispatched from London by the mail of the 25th.

On the night of the preceding day, or rather at a very early hour of the morning of that day itself, the House of Commons had concluded a long debate, in committee, upon the clause of the bill which admitted Catholics to parliament, by a division of 251 against the clause, to 247 in favour of it. The rejection of this—the main clause of the bill, of course, led to the withdrawal of the latter by the government.

Mr. Abbott, the speaker, led the opposition in this instance, and moved the successful amendment to omit the clause from the bill.

The *Dublin Evening Post* of the date when the news arrived

in Dublin, had an article commenting in terms of great wonderment on his conduct in this matter, enumerating several popular and liberal votes given by the speaker on other occasions; and after the enumeration, thus proceeded:—

“Here, then, is the first authority in the democratic part of the constitution against the concession of the Catholic claims. There may be men equal in ability, and superior in power to Mr. Abbott, in favour of the bill; but there is no man that supports it higher in character, or that has a greater influence with the better orders of the community.

“In one word, the speaker of the House of Commons speaks the sense of nine-tenths of the British people.

“What, then, is the opinion of the English people, as expressed by Mr. Abbott, upon the Irish claims?

“Mr. Abbott considers the system introduced by the bill as hostile to the fundamental principle of the constitution.

“That the Catholic claims are not founded in right.

“That the Catholic religion may *be tolerated*, but that Catholics should not be admitted to the enjoyment of power.”

Such, according to the *Dublin Evening Post* (and its assumption was a correct one), were the opinions of the English people, as expressed by the speaker of the Commons House of parliament, the enlightened and *liberal* Mr. Abbott.

No one, now a-days, disputes the fact, that when Peel and Wellington were forced to concede Catholic Emancipation, it was against the will of the English people.

In no wanton bitterness do we recall this fact to remembrance, and desire it to be retained—in no spirit of hostility to the English people. They have but exhibited a melancholy instance of the weakness of human nature.

Undoubtedly, weakness, when it lead to the commission, or encouragement, or toleration of crime, is a crime in itself; but if ever a people had excuse for it, the English have that excuse; from the sedulous care, the wicked pains that have, for centuries, been taken to keep them from knowing and sympathizing with their Irish fellow subjects, and to create, nourish, and inflame the worst prejudices within their breasts against everything Irish and Catholic—everything Catholic and Irish.

The recalling to recollection of instances of these sad feelings on their part has a double object, justifiable and laudable in each branch.

The first, that Englishmen may be warned of the necessity of giving to their Irish fellow subjects some evidence of a repentance for the past, and a disposition to act in a kindlier manner for the future. Mr. O'Connell has well remarked, in the introduction to his work, entitled "*Ireland and the Irish*," that there is too much of a disposition in England to assume entire absolution for by-gone offences against Ireland, without thought of any reparation or atonement whatsoever.

Secondly, the recapitulation is useful, to warn the Irish people from their proverbial failing of a too generous confidence, which might lead them to relax their efforts at self-assertion. It is well to be kindly and forgivingly disposed; but it would be miserable imbecility to think that self-abandonment was necessary as a proof of our charitable forgiveness of injuries.

No. Let the Irish people bear with their usual calm patience the attacks made upon them for refusing altogether to *forget*, although quite ready to *forgive*. The accusations made against them, on this score, are but a petty and insignificant addition to the mass of ancient calumny they have been subjected to. Let them be well assured that a proper degree of self-appreciation—a proper amount of rational care-taking to protect themselves from the mistakes or crimes of others, will procure that respect which can be the only sure foundation of lasting esteem and regard between nations as between individuals.

There was, after all, no real cause for the wonderment of the *Dublin Evening Post*, at the illiberality, on the Catholic question, of the enlightened and *liberal* Mr. Abbott.

Amongst the highest educated of the members of both houses of parliament—amongst the most "*liberal*" (on questions not having reference to *Ireland* or Catholicity) many of the bitterest bigots, political and religious, that ever disgraced any time or any country, are to be found at this day, and during all our experience of British legislation.

Nay, what is certainly an increased anomaly is sometimes

visible—of men who are quite ready to concede a large measure of political rights to Ireland, but who, in Catholic matters relating to her, as well as in dealing with Catholic interests elsewhere, have shown themselves the very reverse of liberal.

A good deal of this has been shown by the Whig party both in and out of office; and a very strong disposition towards it on the part of the English Radicals. To go no farther than the last two sessions, we have seen the Bequests and Infidel Colleges' Bills warmly supported and pressed against the will of the great majority of the Irish people, and in open contempt of their opinions, by the English Whigs and Radicals.

In foreign matters, relative to Catholicity, Lord John Russell and Lord Palmerston—the one the chief, the other a prominent, liberal leader, have displayed considerable invertebracy, and, if we may use the word, without being accused of personal bitterness, considerable bigotry.

We allude to Lord John Russell's conduct while Colonial Minister. In all Catholic matters relative to the Colonies, he was ever found most intractable, most unaccommodating—we had almost said, most unfair.

Lord Palmerston deliberately abandoned the Catholics of Syria to the atrocities of the Turks, when it would have been in his power to have secured them guarantees for the free exercise of their religion, and safety of their persons and properties, such as they had enjoyed under the rule of Mahomet Ali.

And in turning from these subjects we must remark, in conclusion, that the Whig press, particularly the liberal *Morning Chronicle* and radical *Examiner*, have been deep-dyed in criminality on this score, both having heartily approved of the late King of Prussia's tyranny towards the Rhenish Catholics, and his persecution of the admirable Confessor Clement, Archbishop of Cologne; as also of the monstrous tyrannies of Espartero against the ministers of the Catholic religion in Spain.

We have too long delayed in coming to the interesting meeting of the Catholic board, after the rejection of the insulting "Relief Bill" of 1813; but there is so much of relevancy and similarity in the events of the times of which we are

treating, to the events and circumstances of the present time, that it is very difficult to avoid being betrayed into frequent digression.

On Saturday, the 29th May, the board met for the first time after the news had arrived that the bill was withdrawn.

The chair was taken by Lord Trimleston, who commenced with a very doleful lamentation over the loss of the measure in question, stating that he had been thereby reduced from a state of the greatest exultation and hope to one of grief, and almost of despair, and entitling it, "*The Great Charter of our Emancipation.*"

Loud cries of no! no! met his lordship's Jeremiad, as also his praise, shortly after, of the miserable Castlereagh, for his "judgment and great political abilities" displayed in the concoction of this bill.

The unequivocal symptoms of dissent and disapproval to which his audience gave free vent, induced his lordship to shorten his speech; and after a brief exhortation to renewed exertion, he gave place to Mr. O'Connell, who thus addressed the meeting :—

"I have come to this meeting, gentlemen, to make a communication which, I need scarcely say, derives much more importance from the venerated persons who have sent it, than from the humble individual who is the bearer of it. It is from our highly honoured prelates. (Hear, hear.) As the servant, first of the board, and next of those revered personages, I will read it if I am allowed permission. (Read, read.) It is a pastoral address, gentlemen, fraught with as much wisdom as piety—remarkable for talent, moderation, and meekness. I am not astonished that you should feel impatient to know its import. I will forthwith gratify your anxieties. (Cheering.)

"Pastoral Address of the Roman Catholic Prelates (assembled in Dublin, May 26, 1813) to the Clergy and Laity of the Roman Catholic Churches in Ireland.

"REVEREND BROTHERS—BELOVED CHILDREN—

"Peace be with you!

"Solicitude for the spiritual interests of our beloved flocks obliges us once more to suspend the exercise of our other pastoral duties, in order to deliberate, in common, upon the present posture of our religious concerns.

“ ‘ We hasten to declare to you the lively feelings of gratitude excited in our breasts by the gracious condescension of the legislature in taking into its favourable consideration the disabilities which still affect the Catholic body.

“ ‘ With these feelings, deeply and indelibly impressed upon our hearts, it is with the utmost distress of mind that we are compelled, by a sense of duty, to dissent (on some points connected with our emancipation) from the opinions of those virtuous and enlightened statesmen who have so long and so ably advocated the cause of Catholic freedom.

“ ‘ Probably from a want of sufficient information, but unquestionably from the most upright motives, they have proposed to the legislature the adoption of certain arrangements respecting our ecclesiastical discipline, and particularly respecting the exercise of episcopal functions, to which it would be impossible for us to assent without incurring the guilt of schism; inasmuch as they might, if carried into effect, invade the spiritual jurisdiction of the supreme pastor, and alter an important point of our discipline, for which alteration his concurrence would, upon Catholic principles, be indispensably necessary.

“ ‘ When the quarter is considered from whence the clauses have proceeded, it might, perhaps, be imagined, were we to continue silent, that they had our unqualified approbation. On this account we deem it a duty which we owe to you, to our country, and to God, to declare in the most public manner,

“ ‘ That they have not, and that, in their present shape, they never can have our concurrence.

“ ‘ As, however, we have, upon all occasions, inculcated the duty of loyalty to our most gracious Sovereign (the securing whereof is the professed object of the proposed ecclesiastical arrangements) so we would be always desirous to give you the most convincing proofs, that we are ready, in the most exemplary manner, to practise it ourselves.

“ ‘ We have sworn to preserve, inviolate, the allegiance which every subject owes to his Sovereign—we are not accused of having violated our oaths.

“ ‘ Should any other oath, not adverse to our religious principles, be yet devised, which could remove the unfounded apprehensions of any part of our countrymen, we would willingly take it. We owe it to our God to be free from disloyalty. We owe it to our countrymen to endeavour, at least, to be free from suspicion.

“ ‘ Upon these grounds, REVEREND BROTHERS—BELOVED CHILDREN, we announce to you the following resolutions which, after invoking the light and assistance of God, we have unanimously adopted:—

“ ‘ First—That having seriously examined a copy of the bill, lately brought into parliament, purporting to provide for the removal of the civil and military disqualifications under which his Majesty's Roman Catholic subjects labour, we feel ourselves bound to declare, that certain ecclesiastical clauses or “securities” therein contained, are utterly incompatible with the discipline of the Roman Catholic Church, and with the free exercise of our religion.

“ ‘ Second—That we would, with the utmost willingness, swear, should the legislature require us so to do,

“ ‘ That we will never concur in the appointment or consecration of any

bishop whom we do not conscientiously believe to be of unimpeachable loyalty and peaceable conduct.

“ ‘And further—That we have not, and that we will not have, any correspondence or communication with the chief pastor of our church, or with any person authorized to act in his name, for the purpose of overthrowing or disturbing the Protestant Government, or the Protestant Church of Great Britain and Ireland, or the Protestant Church of Scotland, as by law established.

“ ‘Reverend Brothers—Beloved Children—The grace of our Lord Jesus Christ, and the communion of the Holy Ghost, be with you all.

“ (Signed)

“ Richard O'Reilly, Archbishop of Armagh and Primate of all Ireland.

J. T. Troy, Archbishop of Dublin and Primate of Ireland.

Thomas Bray, Archbishop of Cashel.

Patrick J. Plunket, Bishop of Meath.

Daniel Murray, Coadjutor of Dublin.

F. Moylan, Bishop of Cork.

C. Sughrue (*by proxy*), Bishop of Kerry.

Edmund Derry.

Charles O'Donnell.

Farrell O'Reilly.

James O'Shaughnessy.

Peter M'Laughlin, Bishop of Derry.

James Murphy.

John Power.

William Coppinger, Bishop of Cloyne.

N. P. Archdeacon.

P. Ryan.

Peter M'Mullen,

J. Young, } *by proxy*.

Daniel Delany,

Richard Mansfield, Vicar-Capitular, Diocese of Ossory.

Oliver O'Kelly, Vicar-Capitular, Tuam.

G. Plunket, Vicar-Capitular, Elphin.

P. Daly, Vicar-Capitular, Ardagh.

Denis Mannin, Vicar-Capitular, Galway.

John Flinn, Vicar-Capitular."

“ To this document,” continued Mr. O’Connell, “I was requested to call the attention of this board, whom the authors have ever honoured with their esteem; at all events I was desired to deposit it in the hands of the secretary. I have discharged one part of my duty, I perceive not without the approbation of the meeting; I will now discharge the remainder, (handing it to the secretary,) troubling you with very few observations indeed.” (Loud cries of hear, hear.) This communication is such as has been usually received at periods much less important than the present. It contains no assertion beyond the strict bounds of episcopal propriety. The only objection I can possibly see to its being received with respectful thankfulness and cordiality, arises from a consideration personal to myself, (hear, hear.) On the last occasion, two prelates condescended to attend here, and made in their own persons the communication of their brotherhood; the task has this time devolved to hands much more incompetent and less entitled to consideration; and I admit, that this undesirable circumstance might, if there were no justification for it, be a very substantial reason why you would not now feel so well pleased as before. But, gentlemen, there exists what you will, I am

sure, think a sufficient justification for it. There was a distinguished prelate to whom the duty of waiting on this board was delegated. From this most Rev. prelate—His Grace, the Archbishop, Dr. Murray—I had this morning the honour of a letter, intimating his wish that I should appear here for him. I wrote back to him stating that I should much rather see himself in attendance; and I got an answer; alleging, as the sole reason of his intended absence, a sufficient one, as I am quite sure you all must at once allow, that he would be kept away by avocations connected with the discharge of his sacred functions, too urgent to afford him leisure or admit of delay. (Hear, hear.) Enemies might have suggested that there was an appearance of disrespect, or of some want of sufficient attention in the variance from the formality that was observed on the last occasion, but I flatter myself, it is now quite clear to every gentleman that it was an appearance only. (Yes, yes.) The motion, then, which I intend to submit, of a respectful vote of thanks to the prelates, members of the Catholic Synod, for their communication, and for the zeal and vigilance they always evince on behalf of the Catholic Church, will, of course, have your approbation, and the loud and unanimous concurrence of the people of Ireland. (Hear, hear.)

“ Indeed I may venture to say, that there was no motion ever submitted to this board, to which assent will have been so completely yielded as a matter of course.

“ The Catholic prelates of Ireland deserve your eternal gratitude. They have stood forward manfully, and without disguise, to assist you in getting rid of a bill which purported to be for your relief, but which, in reality, would have perpetuated your degradation and your slavery. (Loud cheers.) The prelates, if they had given their countenance and support to this bill, might have consulted and advanced their own worldly interests. But the sacred calls of duty made them reject such considerations with contempt. It is not possible to impute any motives for their opposition to the measure, but such as must indisputably have originated in conscience and a sense of duty. (Cheers.)

“ And they were right, clearly right. They were right—I take it in the spiritual matter involved in the new regulations; and they were most manifestly right in its temporal operation. Nothing but mischief and degradation, nothing, I repeat, but the heaviest mischiefs and the most utter degradation could have resulted from the commission which was proposed in this bill. For see by whom it was to have been formed and selected, and of whom it was likely to be composed. It

was to have been the creation of the Duke of Richmond, of that man whose administration has been signalized by a sullen and sulky opposition to the Catholics of Ireland; and whose most distinguishing characteristic as a chief governor is, that he continues bitterly to hate the papists—he knows not why nor wherefore. (Hear, hear.)

“Well, this hopeful commission, this ‘charter of emancipation, (Laughter and cheers,) was to be framed by his Grace the Duke of Richmond, and upon whom is it likely that his choice would fall? Recollect, however, that before his, before even his selection commenced, you were certain of having, as president of this commission, that ludicrous enemy of ours, who has got, in jest, the names he deserves in good earnest, of ‘*Orange Peel*.’ (Hear, hear.) A raw youth, squeezed out of the workings of I know not what factory in England, who began his parliamentary career by vindicating the gratuitous destruction of our brave soldiers in the murderous expedition to Walcheren, and was sent over here before he got rid of the foppery of perfumed handkerchiefs and thin shoes, upon the ground, I suppose, that he had given a specimen of his talents for vindication, that might be useful to the present and future administrations of Ireland; in short, that he was a lad ready to vindicate any thing—every thing!

“This special vindicator was to be at the head of the proposed commission. And let me dismiss him for ever, by venturing to conjecture what he may hereafter be in our country. But no; I will not—I cannot estimate his future qualities. It is impossible to say what the man may be in old age, who, young—with the first impressions of nature about him—with a heart, uncontaminated, at least, by much intercourse with the world—with any charities of his nature unsullied—with any milk of human kindness unexhausted—whose first step in life was the vindication of the most foolish and the most cruel—the most absurd, and the most fatal—the most useless, and the most murderous expedition that human insanity ever directed, or human depravity ever applauded. (Great cheering.)

“After this worthy president would have come—the chosen of his Grace—first, we should have had, I presume, my Lord Manners! a gentleman, certainly, by birth, education, and in deportment, but, I can safely assert, quite as ignorant of the state of the Irish people, and as unacquainted with their wants, wishes, feelings, and dispositions, as he was the day before his arrival in this country. Surrounded by, and pleased with those men only who are inclined and interested to deceive him, he has received their miserably mistaken

opinions, and adopted their bigotry with a facility quite inconsistent with a sound judgment or an enlarged understanding—and still more, incompatible with a good heart.

“In truth, he seems just such a man as bigotry would select as her choice instrument. Too decent to inspire any disgust—too polite to give personal offence—too weak to discriminate between the artful misrepresentation of bigotry and the plain language of truth and with the natural propensity of a small mind to the practical details of intolerance. (Hear, hear.) He has no connection with this country—no interest in its prosperity. He has no stake in its lands, nor does he possess a habitation or a dwelling of his own in Ireland. He is a dry lodger—in furnished lodgings; and when the hour of his departure shall arrive—and may it soon come—he will only have to put his hat upon his head, to turn into bills his large savings on the ten thousand a year, which the poor people of Ireland pay him, and forget us as rapidly as we shall consign his name to oblivion. (Cheers.)

“Next to my Lord Manners, we should have been sure to find upon the list of these commissioners, the Duke of Richmond's privy councillor, the Right Hon. Doctor Duigenan! he, who was so specially appointed by his Grace for ecclesiastical affairs, and for none other, that he was very aptly compared to the tanner's dog, kept chained all day, and only let loose at night. This religious bull-dog is particularly fitted for worrying popish bishops, no tanner's dog ever hating a thief at night, as he does a popish priest in the noon-day. It is not in the nature of the canine guardian, either of the tanned leather or of the ascendancy, to feel pity or show mercy. (Hear, hear.) Poor popery would soon have been torn to pieces beneath his vile tooth.

“Either Mr. William Saurin, the attorney-general, a man after Doctor Duigenan's own heart (hear, hear), or Jack Giffard, would have been the third commissioner. I suppose the choice would fall on Saurin; for, although he is as either of the other two, and pretty much on a par with them in rancour, yet I will very candidly confess, I think him rather superior in other respects to Giffard. He would, therefore, be chosen; I take it for granted; and what a state this would be for Ireland?—the grandson of a French Huguenot sitting in judgment on the Catholic hierarchy of the land! A man, belonging, in fact, to the only sect of Protestants who, even under persecution, asserted the atrocious and unshaken principle of intolerance, and afforded to those who deprived them of liberty of conscience, the semblance of an excuse by avowing, that if they were themselves

in power they would persecute in their turn ! With what delight would Mr. Saurin hold his inquisitions, under the pretence of examining into the loyalty of the candidates for the mitre, but for the purpose of discovering and excluding the talent, the integrity, and the piety of our priesthood !

“ And, if these commissioners—if Saurin and Duigenan, Peel and Lord Manners, should not be sufficient to exclude from the prelacy all the piety, the integrity, and the talent of the Catholic priesthood, should they so neglect their duty, as to allow a single worthy man to exercise episcopal functions in Ireland, the Lord Lieutenant would, under the ‘*charter of emancipation*’—for I like the expression—have had it in his power to remove them from that office, and to substitute others who would carefully abstain from committing any similar mistake.

“ So that, if this bill had passed into a law, some accident might, perhaps, have given us, at one time or the other, one respectable bishop. It would have been impossible that we could have had a second, or any other, save from among the most supple and pliant tools and slaves of the Secretary of the Castle.

“ I will not task you as Catholics, but I will boldly demand of you as Irishmen, whether you do not rejoice at having escaped from an act of parliament, the necessary consequences of which I have thus laid before you? (Hear, hear, hear.) Do you not rejoice, that the corrupt influence of the government is not to be extended to your church, and that there remains, and will remain, in Ireland, one spot free from ministerial pollution, and that your bishops are not to be degraded to the subserviency of gaugers and tide-waiters, nor your priesthood to the dependence of police constables. (Hear, hear.) If your feelings and opinions be, as your approbation of those sentiments proclaim them to be, accordant with mine—if you dread as Catholics, and abhor as Irishmen, the extension of the influence of the servants of the crown, an influence equally fatal to religion and to liberty, you will join, with all your hearts, in the unanimous adoption of my motion. (Loud cheers.)

“ The bishops have stood between you and this bill ; they have stood between you and the mephitic breath of ministerial corruption ; they have stood in the front of the battle of Ireland, and they deserve that, without any regard to the event, the first praise and glory should be theirs. Recollect, too, that your refusal to adopt my motion, if it were possible you should refuse to adopt it, would imply an approbation of this most paltry and misconceived

bill. To refuse your thanks to the Catholic prelates of Ireland, would be to declare that they deserve censure. If you think so, reject my motion ; but, no, no, it is impossible you could bear the name or form of Irishmen, and censure the rejection of this absurd and mischievous bill. (Cheers.)

“ I shall say one word more and conclude. Perhaps there are amongst you men who would confide in the liberality of your enemies. If such there be, let him, I entreat, but recollect the ruffian shout of English insolence, with which the declaration of the majority against the only valuable clause in this bill was received. Oh ! may that be the last shout of English victory over poor, fallen, and degraded Ireland ! (Hear, hear.) May the measure of English iniquities, and of English triumphs over us be full, and the day-star of Ireland at length arise ! (Hear, hear, hear.)

“ But they have triumphed, they have defeated, and they have insulted us. Oh, fortunate Napoleon ! it is thus the leaders of your foes have ever conducted themselves. Of little avail was your victory at Lutzen to you, compared with this victory ! The men who defeated your legions at Barossa and Vimiera, at Badajoz and Salamanca, are degraded although they are brave, and are insulted because of their fidelity. Their valour is disheartened by being refused its just reward, and their honour is insulted, and tarnished, and trod under the hoof of the yelling and triumphant spirit of English bigotry !

“ They defeated you, but you are now revenged ; your English allies have defeated them, and added contumely and disgrace to defeat. Without a bribe or a subsidy from you, have these English fought your battles ; and if these your most useful allies have been paid, it has been out of another treasury than yours. (Hear, hear.) I shall say no more—I cannot trust myself on this maddening subject. This last insult is indelibly written on mine and every other Irish heart. (Hear, hear.) There it shall live for ever ; we may forgive it, but it shall never, never, be forgotten. (Hear, hear, and cheering for several minutes.) Mr. O'Connell then moved—

“ That the most respectful thanks of the Catholic board be given to the Most Rev. and Right Rev. the Catholic Prelates in Ireland, for their communication to us this day, and for their ever vigilant and zealous attention to the interests of the Catholic church in Ireland.

“ Major Bryan seconded the motion, and Mr. Byrne spoke warmly in its support.

“Anthony Strong Hussey, Esq., rose to move an amendment. It was to the effect, ‘that all the words after the word “communication” should be omitted;’ that is to say, thank the prelates simply for the communication they had that day made to the board through Mr. O’Connell, and to leave out that branch of the motion which went to thank them for ‘their ever vigilant and zealous attention to the interests of the Catholic church in Ireland.’ Mr. Hussey supported his amendment with arguments to the following general effect:—1st, that the Catholic laity ought to have taken time to decide fully and finally upon the obnoxious clauses; and that as the Catholic prelates had seen fit to pronounce so decidedly against those clauses, they ought to have gone more into detail than they had on the subject. They had talked, for instance, of the dangers of schism; but their want of explaining how those dreadful results could come about, threw him and a vast portion of the public into great perplexity, as all their wit could not devise the process of mind by which their lordships arrived at this conclusion.

“2ndly. That they had not only not explained what schism they dreaded, but had not stated what measures of precaution they would have advised, nor what substitutes they would have proposed for the clauses in question.

“He (Mr. Hussey) would have had their lordships to have deliberated upon what could be done in regard of giving the crown the wished-for security, and at the same time preserving inviolable the discipline and free exercise of the Catholic religion.

“The tone and wording of Mr. Hussey’s address were of scant enough courtesy towards the prelates: but a worse spirit with regard to them was speedily to be developed in the discussion.

“At this point, (Mr. Hussey having concluded, and his amendment being seconded by Mr. Boulger,) Dr. Dromgoole, supported by Lord Ffrench, interposed, to require of Mr. Hussey to decide at once whether he would ‘make his stand against the original resolution on the ground of his amendment, or on that of the standing order,’ (of a week’s notice,) to which he had adverted, as an ultimate means of opposition.

“Mr. Bellew (Counsellor Bellew, whose irreverent, un-Catholic and dishonest speech we shall have presently to notice,) contended that Mr. Hussey should in no way be held bound. ‘If (he said,) it were *not* exactly regular for the honourable gentleman, the mover of the amendment, to have recourse to the standing order, he (Mr. Bellew,) would urge the meeting to assent to adjournment, as it would be the

means of preventing himself from introducing much unpleasant matter, touching the conduct of the bishops, which he felt it his duty, however reluctantly, to indulge in.'

"Mr. O'Connell said, he for one would not allow the board to be gagged by *instalments*. The Castle had already sought to put an extinguisher upon the board.

"Mr. M'Donnell (the notorious Æneas) conceiving that Mr. O'Connell's resolution went only to thank the bishops, in earnest language, for their kind communication, without entering into the merits of the clauses, gave it his support.

"Dr. Dromgoole wished that no impression of this kind should be suffered for one instant to remain on the mind of the meeting. He distinctly declared, that the resolution of Mr. O'Connell involved a consideration of the clauses, going decidedly with the most rev. and right rev. prelates to protest against those clauses. (Loud cheering followed this declaration.)

"Sir Edward Bellew then rose, for the purpose, as he said, of setting gentlemen right upon this subject A mistake had arisen, and he (Sir Edward Bellew) had it in his power to explain it. Mr. Canning did make a communication to Dr. Troy, upon the principle of the clauses which he intended to produce. (Hear, hear.) I saw it. (Hear, hear.) Dr. Troy did answer that communication; and Mr. Canning wrote a second time to him. Dr. Troy, in answer to this communication, referred Mr. Canning to a letter which he had written to Lord Donoughmore, expressing his opinion upon the clauses. All this I speak from my own certain and positive knowledge. (Hear, hear.) I derive my information from the venerated and much-respected prelate himself. (Hear, hear.) In the letter to Lord Donoughmore he very distinctly stated that those clauses were inadmissible. (Hear, hear.) *But those were not Mr. Canning's clauses.*

"Boldly and fearlessly, continued Sir Edward, I declare, that Dr. Troy *did agree in the principle of Mr. Canning's clauses*; and for the truth of my assertion I refer to the most rev. prelate himself. (Loud cheers.)

"But I also declare, that he did not approve of Lord Castlereagh's. He did approve of the principle of Mr. Canning's clauses. *I assert it for a positive fact; because Dr. Troy told me so himself, that he had suggested certain clauses with the concurrence of the Bishops. This suggestion respected the admission of a certain number of Catholic prelates into the board: and it was positively on their*

suggestion that the clauses were introduced into the bill! (Hear, hear.)

“Sir Edward Bellew then entered on the question immediately before the chair.

“If the board adopted the second part of the resolution, they bound themselves completely to the decision of the prelates, and precluded themselves from the benefit of free action, should the legislature offer to concede at any future time, upon receiving *securities* which, though not interfering with the existence or interests of the Roman Catholic religion, *might yet involve some point of church discipline; which, having been altered before, might, of course, be altered again:* BUT WHICH THE BISHOPS MIGHT REFUSE TO ALTER (!!!)”

Thank Heaven! the tone and spirit of Catholic society have so far improved since 1813, that no Catholic would now DARE to face a popular assembly in Ireland, with a proposition flying in the face of the Catholic prelacy on a matter within their jurisdiction! But during the discussions of 1845, on the unhappy and uncanonical Bequests and the Infidel Colleges' Acts, there were not wanting some whisperings and mutterings of this un-Catholic and shameful description.

“Sir Edward Bellew went on to contend for the lawfulness! of Catholics opposing their bishops under such circumstances!

“He concluded by saying, that on the ground of the necessity of reserving this power of rebellion (as, in plain truth, it would deserve to be styled) he could approve of no more of the resolution than the expression of thanks to the prelates for having communicated with the board their opinions; and should, therefore, have to support Mr. Hussey's amendment.

“The original resolution was warmly supported by Nicholas Mahon.

“Counsellor Bellew then rose and addressed the board.

“He commenced by reviewing the various opinions that had been expressed as to the bearing of the amendment, and declaring that he would offer, even that the amendment should be withdrawn, ‘if *it were declared* that it was *not* intended by the original vote to *express approbation* of the *resolutions and conduct* of the bishops!’

“Let it, therefore, be remembered, said Mr. Bellew, that I

have not sought this discussion. Those who now come forward as the friends of that respected body, (the bishops) will take upon themselves the consequences, so far as the discussion may lead to observations not very favourable, at least, to the discretion, good sense, candour, and conciliatory spirit of our Roman Catholic prelates, as manifested in their lately-published resolutions."

After this audacious exordium, Mr. Bellew proceeded to make hollow and insulting protestations of his *respect* and *admiration* for the prelates!!

He then alluded to Sir Edward Bellew's extraordinary announcement with respect to Doctor Troy, and contended that the partial changes which had been made in the much-talked-of clauses, did not justify the epithet "schismatical," as subsequently applied to them.

"The material difference (said he) consists in this—that the board of commissioners, as proposed in the original clauses, was to consist of only five persons, and that these five persons were to be Roman Catholics; whereas the same board, as proposed in the amended clauses, was to consist of an indefinite number, among whom some were to be Protestants.

"I admit that it was injudicious not to have fixed the precise number. . . . I think it, indeed, certain, that if the bill had proceeded, the precise number would have been fixed upon before it passed, *if a wish to that effect had been suggested!* but surely this circumstance could not justify the imputation of '*schism*,' as imputed to the adoption of these clauses.

. . . . It is well known that in the year 1799, ten of our bishops, including the four archbishops, had consented to a ~~Veto~~ exclusively in the Crown, by the constitution, essentially Protestant; and at this day there is an admixture of Catholics and Protestants in the visitors of Maynooth College, without the imputation of '*schism*' in the arrangement. . . .

. . . . But it appears from a publication of Doctor Milner's, that one ground for such an imputation, and for the asserted incompatibility with the discipline of the Roman Catholic church is, that the bishop is to be presented for a certificate of loyalty after he has been consecrated a bishop, and appointed to a diocese; and that to refuse to allow him to act after such consecration and appointment, for want of a certificate of

loyalty, would be incompatible with the discipline of the Catholic Church, and would amount to schism.

“ Now, it is be observed—first, that this objection applied to the clauses in their original state, in which Doctor Troy had declared his readiness to acquiesce in them.

Secondly—and here I request the most anxious attention of the meeting—I was well aware that, according to the discipline of the Roman Catholic Church, a person consecrated a bishop, and appointed to a diocese, could not, in ordinary cases, be deprived of jurisdiction; and I did not mention the circumstance, and had it communicated to Doctor Troy, with an intimation that I THOUGHT (!) that under the words used in the bill, the party presented for a certificate of loyalty might be presented immediately on his *nomination* and *before his consecration*, as well as after, WHICH WOULD ENTIRELY REMOVE THE OBJECTION”!!!

Mr. Bellew was, however, graciously pleased to add, that he did not ask his personal assurances to be implicitly relied on, but that express words to carry out his interpretation would, “ *there could be no doubt*,” be introduced, on their being suggested!

It will be seen how completely depraved this man’s mind was, that in this matter of the certificate he could only see, or perhaps *would* only see, the difficulties of a regulation of ecclesiastical discipline; and in no degree whatever the gross and intolerable insult and degradation involved in the sending our bishops to sue out *a certificate of loyalty*!!!

The rest of this audacious and revolting speech was of a piece with what went before.

“ Now, my lord (the chairman, Lord Trimleston), what has been the conduct of our *respectable* prelates? . . . Did they manifest that desire of forwarding the bill, removing objections, *and endeavouring to conciliate all parties*, which the public of all persuasions had a right to expect from them? Did they *candidly* state their objection; and suggest, at the same time, the *easy and ready manner in which it might be removed*—the method WHICH I HAD MYSELF, THROUGH A FRIEND, MADE KNOWN TO THEM (!!!)

They have *anxiously* (shall I say *gladly*) availed themselves of the objection; and *studiously kept back from suggest-*

ing the easy means of removing it—of which, FROM WHAT I HAVE MENTIONED, THEY CANNOT PLEAD IGNORANCE!! Is this the conduct of which we are to express approbation? Is such approbation the specimen we are to afford of our earnest desire to concur in removing prejudice and difficulty on each side, and to meet our Protestant fellow-subjects half way in the mutual progress to general reconciliation?"

It really requires an ^{ast}effort of considerable patience, even at this distance of time, when thirty-three years have nearly elapsed since the delivery of the odious sentiments we have quoted, to read through the speech which contained them. The tone of insolent assumption, dictation, and audacious reproof that pervades it, would render impossible its public delivery at the present day; and that such is the case now, is mainly owing to the determined stand taken at the meeting we have been dwelling on; as well as at other meetings of the period against the un-Catholic and un-Christian spirit which prompted such a display as that we have been canvassing.

Of Mr. Bellew, personally, we shall have more to speak when we have concluded the notice of the communications between the bishops and the Catholic board. Meantime, it will be enough to say of what has not yet been noticed of his speech, that it was directed to bringing forward what he called proofs of the safety of allowing Protestants to intermeddle with Catholic affairs, and to renewed advocacy of that spurious and miserably base pretension at liberality, which would consist in a dastardly sacrifice of honour, principle, and duty, at the shrine of a false and utterly degrading conciliation.

We have not been quite without some passing indications of a tendency to this mock-liberality in the discussions of last year, but by no means to the same extent.

One of Mr. Bellew's concluding sentences charged those who differed with him, with giving the discussions of the board "a tendency towards widening and extending animosities between Protestant and Catholic," and "leading the Catholics, particularly the lower orders, to consider everything Protestant as odious and inimical to their interests, and everything English as oppressive, encroaching, and hostile."

Mr. O'Connell's reply, which we are now about to give, includes an answer to this, as to all the other monstrous propositions of Counsellor Bellew's speech.

We should premise that Mr. O'Gorman interposed between the speeches of Mr. Bellew and Mr. O'Connell, with a speech taking the former roundly to task, and advocating the original resolution.

Mr. O'Connell then rose, and spoke as follows :—

“ At this late hour, and in the exhausted state of the meeting, it requires all the impulse of duty to overcome my determination to allow the debate to be closed without any reply; but a speech has been delivered by the learned gentleman (Mr. Bellew), which I cannot suffer to pass without further answer.

“ My eloquent friend, Mr. O'Gorman, has already powerfully exposed some of its fallacies; but there were topics involved in that speech which he has not touched upon, and which, it seems to me, I owe it to the Catholics and to Ireland to attempt to refute.

“ It was a speech of much talent, and much labour and preparation.

“ Mr. Bellew declared that he had spoken extempore.

“ Well, (said Mr. O'Connell,) it was, certainly, an able speech, and we shall see whether this extempore effort of the learned gentleman will appear in the newspapers to-morrow, in the precise words in which it was uttered this day. I have no skill in prophecy, if it does not happen; and if it does so happen, it will, certainly, be a greater miracle, than that the learned gentleman should have made an artful and ingenious, though, I confess, I think a very mischievous speech, without preparation.

“ I beg to say, that, in replying to him and to the other supporters of the amendment, I mean to speak with great personal respect of them; but that I feel myself bound to treat their arguments with no small degree of reprehension. The learned gentleman naturally claims the greater part of my attention. The ingenuity with which he has, I trust, gratuitously advocated our bigoted enemies, and the abundance in which he has dealt out insinuations against the Catholics of Ireland, entitle his discourse to the first place in my reprobation. Yet I shall take the liberty of saying a passing word of the other speakers, before I arrive at him; he shall be last, but, I promise him, not least in my consideration.

“ The opposition to the general vote of thanks to the bishops was led by my friend Mr. Hussey. I attended to his speech with that

regard which I always feel for anything that comes from him ; I attended to it in the expectation of hearing from his shrewd and distinct mind something like argument or reasoning against this expression of gratitude to our prelates. But, my lord, I was entirely disappointed ; argument there was not any—reasoning there was none ; the sum and substance of his discourse was literally this, that he (Mr. Hussey) is a man of a prudent and economical turn of mind, that he sets a great value on everything that is good, that praise is excellent, and, therefore, he is disposed to be even stingy and niggard of it ; that my motion contains four times too much of that excellent article, and he, therefore, desires to strike off three parts of my motion, and thinks that one quarter of his praise is full enough for any bishops, and this the learned gentleman calls an amendment. (Hear, hear, and a laugh.)

“ Mr. Bagot came next, and he told us that he had made a speech but a fortnight ago, which we did not understand, and he has now added another which is unintelligible ; and so, because he was misunderstood before, and cannot be comprehended at present, he concludes, most logically, that the bishops are wrong, and that he and Mr. Hussey are right. (Hear, hear, and laughter.)

“ Sir Edward Bellew was the next advocate of censure on the bishops ; he entertained us with a sad specimen of minor polemics, and drew a learned and lengthened distinction between essential and non-essential discipline ; and he insisted, that by virtue of this distinction, that which was called schism by the Catholic prelates, could be changed into orthodoxy by an Irish baronet. This distinction between essential and non-essential, must, therefore, be very beautiful and beautifying. It must be very sublime, as it is very senseless, unless, indeed, he means to tell us, that it contains some secret allusion to our enemies. For example, that the Duke of Richmond affords an instance of the essential, whilst my Lord Manners is plainly non-essential ; that Paddy Duigenan is essential in perfection, and the foppish Peel is, in nature, without essence ; that Jack Giffard is, surely, of the essential breed, whilst Mr. Willy Saurin is a dog of a different colour. (Hear, and laughter.)

“ Such, I presume, is the plain English of the worthy baronet's dissertation. Translated thus, it clearly enough alludes to the new commission ; but it would be more difficult to show how it applied in argument against my motion. I really did not expect so whimsical an opposition from the honourable baronet. If there be any feeling of disappointment about him for the rejection of the double Veto bill, he

certainly ought not to take revenge on the board, by bestowing on us all the tediousness of incomprehensible and insane theology. I altogether disclaim reasoning with him, and I freely consent that those who relish his authority as a theologian, should vote against the prelates.

• “And, now, I address myself to the learned brother of the theological baronet. He began by taking great merit to himself, and demanding great attention from you, because he says that he has so rarely addressed you. You should yield to him, he says, because he so seldom requires your assent. It reminds me of the prayer of the English officer, before battle: “Great Lord, said he, during the forty years I have lived, I never troubled you before with a single prayer. I have, therefore, a right, that you should grant me one request, and do just as I desire, for this once.” (Hear, hear, and laughter.) Such was the manner in which the learned gentleman addressed us; he begs you will confide in his zeal for your interests, because he has hitherto confined that zeal to his own (Loud and continued cries of hear, hear.) He desires that you will rely upon his attention to your affairs, because he has been heretofore inattentive to them; and that you may depend on his anxiety for Catholic Emancipation, inasmuch as he has abstained from taking any step to attain that measure. (Hear.)

“Quite different are my humble claims on your notice—quite different are the demands I make on your confidence. I humbly solicit it, because I have sacrificed, and do and ever will sacrifice, my interest to yours—because I have attended to the varying posture of your affairs, and sought for Catholic Emancipation, with an activity and energy proportioned to the great object of our pursuit. I do, therefore, entreat your attention, whilst I unravel the spider-web of sophistry with which the learned gentleman has this day sought to embarrass and disfigure your cause.

“His discourse was divided into three principal heads. First, he charged the Catholic prelates with indiscretion. Secondly, he charged them with error. And lastly, he charged the Catholics with bigotry; and with the zeal and anxiety of an hired advocate, he gratuitously vindicated the intolerance of our oppressors. I beg your patience, whilst I follow the learned gentleman through this threefold arrangement of his subject. I shall, however, invert the order of his arrangement, and begin with his third topic.

“His argument, in support of the intolerants, runs thus. First, he alleges that the Catholics are attached to their religion with a bigoted zeal. I admit the zeal, but I utterly deny the bigotry. He

seems to think I overcharge his statement ; perhaps I do ; but I feel confident that, in substance, this accusation amounted to a direct charge of bigotry. Well, having charged the Catholics with a bigoted attachment to their church, and having truly stated our repugnance to any interference on the part of the secretaries of the Castle with our prelates, he proceeded to insist that those feelings on our part justified the apprehensions of the Protestants. The Catholics (said Mr. Bellew) are alarmed for their church ; why should not the Protestants be alarmed also for theirs ? The Catholic (said he) desires safety for his religion ; why should not the Protestant require security for his ? When you, Catholics, express your anxiety for the purity of your faith (adds the learned advocate), you demonstrate the necessity there is for the Protestant to be vigilant for the preservation of his belief ; and hence, Mr. Bellew concludes, that it is quite natural, and quite justifiable in the Liverpools and Eldons of the Cabinet, to invent and insist upon guards and securities, vetoes, and double vetoes, boards of control, and commissions for loyalty.

“ Before I reply to this attack upon us, and vindication of our enemies, let me observe, that, however groundless the learned gentleman may be in argument, his friends at the Castle will, at least, have the benefit of boasting, that such assertions have been made by a Catholic, at the Catholic board.

“ And, now, see how futile and unfounded his reasoning is : he says, that our dislike to the proposed commission justifies the suspicion in which the plan of such commission originated ; that our anxiety for the preservation of our church vindicates those who deem the proposed arrangement necessary for the protection of theirs—a mode of reasoning perfectly true, and perfectly applicable, if we sought any interference with, or control over, the Protestant church. If we desired to form any board, or commission to control or to regulate the appointment of their bishops, deans, archdeacons, rectors, or curates ; if we asked or required that a single Catholic should be consulted upon the management of the Protestant Church, or of its revenues or privileges ; then, indeed, would the learned gentleman be right in his argument, and then would he have, by our example, vindicated our enemies.

“ But the fact does not bear him out ; for we do not seek, nor desire, nor would we accept of, any kind of interference with the Protestant Church. We disclaim and disavow any kind of control over it. We ask not, nor would we allow, any Catholic authority over the mode of appointment of their clergy. Nay, we are quite

content to be excluded for ever from even advising his Majesty, with respect to any matter relating to or concerning the Protestant Church—its rights, its properties, or its privileges. I will, for my own part, go much further; and, I do declare, most solemnly, that I would feel and express equal, if not stronger, repugnance to the interference of a Catholic with the Protestant Church, than that I have expressed and do feel to any Protestant interference with ours. In opposing their interference with us, I content myself with the mere war of words. But if the case were reversed—if the Catholic sought this control over the religion of the Protestant, the Protestant should command my heart, my tongue, my arm, in opposition to so unjust and insulting a measure. So help me God! I would in that case not only feel for the Protestant and speak for him, but I would fight for him, and cheerfully sacrifice my life in the defence of the great principle for which I have ever contended—the principle of universal and complete religious liberty. (Loud and repeated cheers.)

“Then, can any thing be more absurd and untenable than the argument of the learned gentleman, when you see it stript of the false colouring he has given it? It is absurd to say, that merely because the Catholic desires to keep his religion free, the Protestant is thereby justified in seeking to enslave it. Reverse the position, and see whether the learned gentleman will adopt or enforce it. The Protestant desires to preserve his religion free; would that justify the Catholic in any attempt to enslave it? I will take the learned advocate of intolerance to the bigoted court of Spain or Portugal, and ask him, would he, in the supposed case, insist that the Catholic was justifiable. No, my lord, he will not venture to assert that the Catholic would be so; and I boldly tell him, that, in such a case, the Protestant would be unquestionably right, the Catholic, certainly, an insolent bigot. (Hear, hear.)”

“But the learned gentleman has invited me to a discussion of the question of securities, and I cheerfully follow him. And I do, my lord, assert, that the Catholic is warranted in the most scrupulous and timid jealousy of any English, for I will not call it Protestant, (for it is political, and not, in truth, religious) interference with his church. And I will also assert, and am ready to prove, that the English have no solid or rational pretext for requiring any of those guards, absurdly called securities, over us or our religion.

“My lord, the Irish Catholics never, never broke their faith—they never violated their plighted promise to the English. I appeal to history for the truth of my assertion. My lord, the English

never, never observed their faith with us—they never performed their plighted promise; the history of the last six hundred years proves the accuracy of my assertion. I will leave the older periods, and fix myself at the Revolution. More than 120 years have elapsed since the treaty of Limerick; that treaty has been honourably and faithfully performed by the Irish Catholics; it has been foully, disgracefully, and directly violated by the English. (Hear, hear, hear.) English oaths and solemn engagements bound them to its performance; it remains still of force and unperformed; and the ruffian yell of English treachery which accompanied its first violation, has, it seems, been repeated even in the senate house at the last repetition of the violation of that treaty. They rejoiced and they shouted at the perjuries of their ancestors—at their own want of good faith or common sense.

“Nay, are there not present men who can tell us, of their own knowledge, of another instance of English treachery? Was not the assent of many of the Catholics to the fatal—oh! the fatal measure of the Union, purchased by the express and written promise of Catholic Emancipation, made from authority by Lord Cornwallis, and confirmed by the prime minister, Mr. Pitt? And has that promise been performed? or has Irish credulity afforded only another instance of English faithlessness? Now, my lord, I ask this assembly whether they can confide in English promises? I say nothing of the solemn pledges of individuals. Can you confide in the more than puny faith of your hereditary task-masters? or shall we be accused of our scrupulous jealousy, when we reject, with indignation, the contamination of English control over our church?

“But, said their learned advocate (Mr. Bellew), they have a right to demand, because they stand in need of securities. I deny the right—I deny the need. There is not any such right—there exists no such necessity. What security have they had for the century that has elapsed since the violation of the treaty of Limerick? What security have they had during these years of oppression and barbarous and bloody legislation? What security have they had whilst the hereditary claim of the house of Stuart remained? And, surely, all the right that hereditary descent could give was vested in that family. Let me not be misunderstood. I admit they had no right; I admit that their right was taken away by the people. I freely admit that, on the contrary, the people have the clear right to cashier base and profligate princes. (Hear, hear.) What security had the English from our bishops when England was invaded, and

that the unfortunate but gallant Prince Charles advanced into the heart of England, guided by valour, and accompanied by a handful of brave men, who had, under his command, obtained more than one victory? He was a man likely to excite and to gratify Irish enthusiasm; he was chivalrous and brave; he was 'a man of honour, and a gentleman; no violator of his word; he spent not his time in making his soldiers ridiculous, with horse-tails and white feathers; he did not consume his mornings in tasting curious drams, and evenings in gallanting old women. What security had the English then? What security had they against our bishops or our laity, when America nobly flung off the yoke that had become too heavy to be borne, and sought her independence at the risk of her being? What security had they then? I will tell you, my lord. Their security at all those periods was perfect and complete, because it existed in the conscientious allegiance of the Catholics; it consisted in the duty of allegiance which the Irish Catholics have ever held, and will, I trust, ever hold sacred; it consisted in the conscientious submission to legitimate authority, however oppressive, which our bishops have always preached, and our laity have always practised. (Cheers.)

"And now, my lord, they have the additional security of our oaths, of our ever-inviolated oaths of allegiance; and if they had emancipated us, they would have had the additional security of our gratitude and of our personal and immediate interests. We have gone through persecution and sorrow; we have experienced oppression and affliction, and yet we have continued faithful. How absurd to think that additional security could be necessary to guard against conciliation and kindness!

"But it is not bigotry that requires those concessions; they were not invented by mere intolerance. The English do not dislike us as Catholics—they simply hate us as Irish; they exhaust their blood and treasure for the papists of Spain; they have long observed and cherished a close and affectionate alliance with the ignorant and bigoted papists of Portugal; and now they exert every sinew to preserve those papists from the horrors of a foreign yoke. They emancipated the French papists in Canada, and a German papist is allowed to rise to the first rank in his profession—the army; he can command not only Irish but even English Protestants. Let us, therefore, be just; there is no such horror of popery in England as is supposed; they have a great dislike to Irish papists; but separate the qualities—put the filthy whiskers and foreign visage of a German on the animal, and the papist is entitled to high favour from the just

and discriminating English. We fight their battles ; we beat their enemies ; we pay their taxes, and we are degraded, oppressed, and insulted—(loud applause), whilst the Spanish, the Portuguese, the French, and the German papists are courted, cherished, and promoted.

“I revert now to the learned gentleman’s accusation of the bishops. He has accused them of error in doctrine and of indiscretion in practice. He tells us that he is council to the college of Maynooth, and, in that capacity, he seems to arrogate to himself much theological and legal knowledge. I concede the law, but I deny the divinity ; neither can I admit the accuracy of the eulogium which he has pronounced on that institution, with its mongrel board of control—half papist and half Protestant. I was, indeed, at a loss to account for the strange want of talent—for the silence of Irish genius which has been remarked within the college. I now see it easily explained. The incubus of jealous and rival intolerance sits upon its walls, and genius, and taste, and talent fly from the sad dormitory, where sleeps the spirit of dulness. I have heard, indeed, of their Crawleys and these converts, but where, or when, will that college produce a Magee or a Sandes, a M'Donnell or a Griffin? When will the warm heart of Irish genius exhibit in Maynooth such bright examples of worth and talent as those men disclose? It is true, that the bigot may rule in Trinity College ; the highest station in it may be the reward of writing an extremely bigoted and more foolish pamphlet ; but still there is no conflicting principle of hostile jealousy in his rulers ; and, therefore, Irish genius does not slumber there, nor is it smothered as at Maynooth.

“The accusation of error brought against the bishops by the learned gentleman, is sustained simply upon his opinion and authority. The matter stands thus:—at the one side, we have the most rev. and right rev. the Catholic prelates of Ireland, who assert that there is schism in the proposed arrangement ; on the other side, we have the very rev. the counsel for the college of Maynooth, who asserts that there is no schism in that arrangement. These are the conflicting authorities. The rev. prelates assert the one ; he the counsellor, asserts the other ; and, as we have not leisure to examine the point here doctrinally, we are reduced to the sad dilemma of choosing between the prelates and the lawyer. (Laughter and cheers.) There may be a want of taste in the choice which I make, but I confess I cannot but prefer the bishops. I shall, therefore, say with them, there would be schism in the arrangement, and deny the

assertion of the rev. counsel, that it would not be schism. But suppose his reverence, the counsel for Maynooth, was right, and the bishops wrong, and that in the new arrangement there would be no schism, I then say, there would be worse ; there would be corruption, and profligacy, and subserviency to the Castle in it, and its degrading effects would soon extend themselves to every rank and class of the Catholics.

“ I now come to the second charge which the learned gentleman, in his capacity of counsel to the college of Maynooth, has brought against the bishops. It consists of the high crime of ‘indiscretion.’ They were indiscreet, said he, in coming forward so soon and so boldly. What, when they found that a plan had been formed which they knew to be schismatic and degrading—when they found that this plan was matured, and printed, and brought into parliament, and embodied in a bill, and read twice in the House of Commons, without any consultation with, and, as it were, in contempt of the Catholics of Ireland—shall it be said, that it was either premature or indiscreet, solemnly and loudly to protest against such plan! If it were indiscreet, it was an indiscretion which I love and admire—a necessary indiscretion, unless perhaps, the learned counsel for Maynooth may imagine that the proper time would not arrive for this protest until the bill had actually passed, and all protest should be unavailing.

“ No, my lord, I cannot admire this thing called Catholic discretion, which would manage our affairs in secret, and declare our opinions, when it was too late to give them any importance. Catholic discretion may be of value at the Castle ; a Catholic secret may be carried, to be discounted there for prompt payment. The learned gentleman may also tell us the price that Catholic discretion bears at the Castle, whether it be worth a place, a peerage, or a pension. (Loud cheering.) But, if it have value and a price for individuals, it is of no worth to the Catholic people. I reject and abjure it as applicable to public officers. Our opinions ought to be formed deliberately, but they should be announced manfully and distinctly. We should be despicable, and deserve to continue in slavery, if we could equivocate or disguise our sentiments on those subjects of vital importance ; and I call upon you to thank the Catholic prelates, precisely because they had not the learned gentleman’s quality of discretion, and that they had the real and genuine discretion, which made them publish resolutions consistent with their exalted rank and reverend character, and most consonant to the wishes and views of the Catholic people of Ireland. (Hear, hear.)

"I now draw to a close, and I conjure you not to come to any division. Let the amendment be withdrawn by my learned friend, and let our approbation of our amiable and excellent, our dignified and independent prelates, be, as it ought to be, unanimous. We want unanimity; we require to combine in the constitutional pursuit of Catholic Emancipation; every class and rank of the Catholics—the prelate and the peer, the country gentleman and the farmer, the peasant and his priest; our career is to begin again; let our watchword be unanimity, and our object be plain and undisguised, as it has been, namely, simple Repeal. (Loud applause.) Let us not involve or embarrass ourselves with vetoes, and arrangements, and securities, and guards, and pretexts of divisions, and all the implements for ministerial corruption, and Castle dominion; let our cry be simple Repeal. (Applause.)

"It is well—it is very well that the late bill has been rejected. I rejoice that it has been scouted. Our sapient friends at Cork called it a 'Charter of Emancipation.' You, my lord, called it so; but, with much respect, you and they are greatly mistaken. In truth, it was no charter at all, nor like a charter; and it would not have emancipated. This charter of emancipation was no charter; and would give no emancipation. As a plain, prose-like expression, it was unsupported; and, as a figure and fiction, it made very bad poetry. No, my lord, the bill would have insulted your religion, and done almost nothing for your liberties; it would have done nothing at all for the people—(loud and repeated cries of hear, hear); it would send a few of our discreet Catholics, with their Castle-discretion, into the House of Commons, but it would not have enabled Catholic peers in Ireland to vote for the representative peers; and thus the blunder arose, because those friends, who, I am told, took so much trouble for you, examined the act of Union only, and did not take the trouble of examining the act regulating the mode of voting for the representative peers. (Loud cries of hear, hear.)

"The bill would have done nothing for the Catholic bar, save the paltry dignity of silk gowns; and it would have actually deprived that bar of the places of assistant-barrister, which, as the law stands, they may enjoy. It would have done nothing in corporations—literally nothing at all; and when I pressed this on Mr. Plunket, and pointed out to him the obstacles to corporate rights, in a conference with which, since his return to Ireland, he honoured me, he informed me—and informed me, of course, truly—that the reason why the corporations could not be further opened, or even the Bank

of Ireland mentioned, was, because the English would not listen to any violation of chartered rights; and this bill, my lord—this inefficient, useless, and insulting bill—must be dignified with the appellation of a ‘Charter of Emancipation.’ I do most respectfully entreat, my lord, that the expression may be well considered before it is used again.

“And now let me entreat, let me conjure the meeting to banish every angry emotion, every sensation of rivalry or opposition; let us recollect that we owe this vote to the unimpeached character of our worthy prelates. Even our enemies respect them; and, in the fury of religious and political calumny, the breath even of hostile and polemical slander has not reached them. Shall Catholics, then, be found to express, or even to imply censure?”

“Recollect, too, that your country requires your unanimous support. Poor, degraded, and fallen Ireland! has you, and, I may almost say, you alone to cheer and sustain her. Her friends have been lukewarm and faint-hearted; her enemies are vigilant, active, yelling, and insulting. In the name of your country, I call on you not to divide, but to consecrate your unanimous efforts to her support, till bigotry shall be put to flight, and oppression banished this land for ever. (Hear, hear, and loud cheering.)”

In despite of this adjuration, Counsellors Hussey and Bellew, and their friends and followers, persevered in the amendment, and pressed for a division, which accordingly took place, with the following result:—

MAJORITY.

Lord Ffrench,	Thomas Morgan, Esq.,
Hon. C. Ffrench,	Edward Butler, Esq.,
Sir Thomas Esmonde, Bart.,	J. Fegan, Esq.,
Counsellor Nicholas Purcell O’Gorman,	P. Butler, Esq.,
Charles Teeling, Esq., M.D.,	John Burke, Esq.,
John Weldon, Esq.,	Henry O’Hara, Esq.,
Edward Hay, Esq., Ross,	James Lalor, Esq.,
William Barron, Esq.,	P. Dowell, Esq.,
Richard O’Gorman, Esq.,	Nicholas Markey, Esq.
Bernard Coyle, Esq.,	Pierce Coleman, Esq.,
R. Frayne, Esq.,	Richard O’Brien, Esq.,
Patrick Delany, Esq.,	James Hughes, Esq.,
J. Barry, Esq.,	Edward Cox, Esq.,
	James Sugrue, Esq.,

J. O'Ferrall, Esq.,
 B. Murphy, Esq.,
 M. Grainger, Esq.,
 P. Carolan, Esq.,
 Nicholas Mahon, Esq.,
 J. O'Farrel, Esq.,
 J. M'Laughlin, Esq.,
 P. Shannon, Esq.,
 William Powell, Esq.,
 P. M'Manus, Esq.,
 James Murphy, Esq.,
 J. M'Gucken, Esq.,
 J. P. Doyle, Esq.,
 C. Taylor, Esq.,
 P. Graham, Esq.,
 M. Arthur, Esq.,
 Michael Joseph O'Kelly, Esq.,

J. E. Byrne, Esq.,
 Counsellor Macarthy,
 Counsellor William Francis Finn,
 Thomas Clooney, Esq. (*General
 Clooney*),
 Edward Blacker, Esq.,
 John Byrne Esq.,
 Sylvester Costigan, Esq.,
 Francis Coleman, Esq.,
 James Lalor, Esq., county Kerry,
 Edward O'Callaghan, Esq.,
 T. Dromgoole, Esq., M.D.,
 John Rooney, Esq.,
 W. H. Thunder, Esq.,
 B. Fitzhenry, Esq.,
 N. Sweeny, Esq.

Tellers for the noes (viz., the above majority against the amendment, and, therefore, in favour of Mr. O'Connell's original resolution),

George Bryan, Esq.,
 Counsellor O'Connell.

The list of the minority was as follows :—

Sir Edward Bellew, Bart.,
 Edward Corballis, Esq.,
 Henry Chester, Esq.,
 Charles Smith, Esq.,
 John Taaffe, Esq.,
 J. Johnson, Esq.,
 Peter Coleman, Esq.,
 W. G. Baggott, Esq.,
 R. Caddell, Esq.,

G. Goold, Esq.,
 John Galway, Esq.,
 James Bulger, Esq.,
 Robert Archbold, Esq.,
 N. Mansfield, Esq.,
 Malachy Donnellan, Esq.,
 Connell O'Connell (Clare), Esq.,
 Counsellor O'Regan,
 Counsellor Breen.

Tellers for the ayes (viz., the minority, supporting the amendment),

Counsellor Bellew,
 Counsellor Hussey.

The numbers, therefore, were, respectively :—

For Mr. O'Connell's motion, - - 59 and 2 tellers = 61

For Mr. Hussey's motion, - - 18 and 2 tellers = 20

Majority with Mr. O'Connell, - - - 41

At the time that Counsellor Bellew made the speech on which Mr. O'Connell commented with such just severity, he was actually in the receipt of *two pensions from the government* ;

and within a fortnight after the delivery of that speech he received a *third* pension from the same source !

The personal allusions, therefore, in Mr. O'Connell's answer to him will be seen not to have been unmerited, nor unjustifiably severe.

The history of these degrading acquisitions is brief and full of interest. It reveals one additional disgusting chapter in the overcrowded volume of the dark doings of English governments in Ireland. In touching upon it, we must repeat, in part, some former observations.

In 1792-3, the Irish parliament, exclusive, restricted, and corrupted (*corrupted by England*) as it was, yet showed so much of the kindness of Irish nature, as to pass its fourth act, within nineteen years, of relief to the Irish Catholics.

This measure, amongst other privileges, admitted Catholics to the elective franchise, that of the municipalities, and to the legal profession.

The only remaining deprivation of importance, was the very important one of exclusion from parliament. On this a few passing words are necessary.

We have before contrasted the conduct of the Irish and English parliaments as to Catholic relief, to the just disadvantage of the latter legislature. We are quite aware that it may be said, that although England did delay twenty-nine years, after she had gotten possession of our representation, to pass the remaining Act of Relief, yet, that her concession was of more value and importance than all that had been done before 1800.

To this there are two answers :—

First—That the Irish parliament, having shown such alacrity when once they did begin to remove disabilities on account of religion, would, in all human probability, have gone on with proportionate rapidity, to the last and crowning work of admitting Catholics to the legislature.

Secondly—That the distance was immeasurably greater from the utter *social nonentity*, if we may be permitted so to use the word, of the Catholics in 1775 (when ameliorations of their condition were first taken in hand) to their entire *social*, though not *political* equality, in 1793, than from their position after the

concessions of the latter year, to their position after concession of legislative rights.

Not among the least influential of the circumstances which determined the English government to put an end, at all hazards, and by any and every means, to the Irish parliament, was this evident approach to conciliation and national union, evidenced by the increasing spirit of legislative concession. The old policy of "*divide et impera*," was in danger, and itself could only save itself.

Accordingly, every effort was made, and with great success, to blow up the embers of internal dissensions. Not content with these means of dissipating the embryo national league, corruption was lavishly employed, and corruption *among the Catholics themselves*. How extensively that corruption was afterwards executed, and how its operation was afterwards so fearfully aided by the betrayal and goading of the innocent people into a wild and driftless insurrection, whose baleful fires were speedily quenched in seas of their own blood, belongs to the history of the Union, and not to that of Mr. Bellew, to whose individual history we have, with an unavoidable and, indeed, a necessary circuitousness, been approaching.

That gentleman was among the first of his persuasion to make use of the concession of 1793, opening to them the legal profession. He, with others in similar circumstances, had previously been prominent in the "agitation" of those times; and government dreading that their habits of public life would incite them to make use of their new vantage-ground of social equality, to push that agitation with more effect, resolved to buy him and them out of it, and accordingly, without cause stated, or public intimation made, conferred pensions upon some four or five of the most prominent—choosing those who, from talent or family connexion, were likely to prove the most influential.

Mr., or to designate him more properly, the newly created *Counsellor* Bellew, received, at this period, a pension of £300 per annum. Besides his own abilities, he had, as an additional recommendation for this pension, the influence of the Bellew family, and of their connexions.

This, then, was pension number one.

As the wicked schemes of the British minister approached nearer to their wicked completion in the accursed legislative Union, and the inextinguishable spirit of Irish nationality convulsed the empire with its struggles against serfdom, the political importance of the Catholics very largely increased, and the market for the corrupt among them was accordingly enhanced.

Mr. Counsellor Bellew influenced his family to support the Union, and exerted himself to the extent of his opportunities in advancing it.

For this good service he was promised, by Lord Castlereagh, the chairmanship of a county.

When the accursed Union was accomplished, he made his claim for the wages of his treason to Ireland. The then chancellor, however, Lord Redesdale, was too deep-grained a bigot to suffer a Catholic to obtain any judicial rank he could impede, no matter what base service might be done for it.

He, accordingly, decidedly objected to Counsellor Bellew's appointment, fully recognizing the importance of the treason, but grudging it its infamous wage.

Lord Castlereagh as decidedly declared that Mr. Bellew should have what had been promised him. "*The Union promises MUST, at all hazards, be kept,*" was the declaration of the conscientious and justice-loving lord!

But, as if *by accident*, there dropped from him a saving suggestion, that, perhaps, Mr. Bellew would prefer a pleasant sinecure of £300 per annum for life, to the labours and troubles of a county chairman's seat, with its salary, only while able to do duty, of £400 a year, exclusive of fees.

Counsellor Bellew sagely preferred the *certain* and enduring sinecure, the more readily as it enabled him to pursue, uninterrupted, the profitable business of which he was in the enjoyment, in the conveyancing branch of his profession.

This, then, was pension the *second*, equally unknown as the first to the general public.

Pension the *third*—amounting, however, to only *two hundred a*

year—a diminution, doubtless, felt by him as an unmerited grievance, was, as we have said, granted him after his speech against the bishops in 1813.

Neither was the grant of this last pension known, until some six or seven years later, when, on perusal of the first parliamentary return, relative to the pension-list, that the economists in the House of Commons at last got the government to accede to, Mr. O'Connell found Mr. Bellew's name set down for the amount stated, with a date so very near his recollection of the debate we have last given, that he referred back to the papers of that time to see how the fact stood, and found that the said pension had been granted to Mr. Bellew *exactly the day fortnight* after the speech in question.

It may appear hard against the memory of a long deceased man to mention these matters now; but the secret corruption of men taking a prominent part in public affairs is of far too grave a cast of criminality in itself and in its consequences, not to be exposed and denounced for the purposes of deterring from imitation, and warning from blind confidence.

The interests—nay, the very existence of a nation, are far too deeply involved in thus publicly proclaiming treason of by-gone, as well as (where discernable) of present times, to allow milder considerations to prevail. It would, in fact, be *criminal weakness* so to do, in a work having, in any degree, however imperfect, the character of an historic record.

While giving the abstract of Mr. Bellew's *anti-bishop*, and, indeed, anti-Catholic speech, we have commented upon the unworthy and audacious spirit that pervaded it—a spirit which, if adopted by the Catholics of Ireland, either then or now, could not fail to eventuate in rendering Ireland the howling desert in morality and religion, which was the condition of France for many years after her first revolution.

The great leading, saving, and binding principle of the Catholic church is authority. Weaken that by insidious sapping, or open attack, and the whole fabric of the church goes with it. Men ridiculed, taunted, tempted by licence to the

passions, or rudely startled out of their ancient and traditional predilections, in matters of a religious nature, do not easily relish and adopt any other.

Of all nations perhaps the Irish have shown themselves the least likely to be so converted. Still man is frail; and though conversion to another form of worship be impossible, disturbance of religious feeling, and consequent disturbance of the foundations of morality, might not be equally impossible. Once sow dissension between the Irish people and those religious ministers to whom they have shown themselves so devotedly attached, and whom they so unaffectedly reverence—once weaken, IF YOU CAN, that affection and that reverence, and the very ardour and impetuosity of the Irish character would widen irremediably the breach so made, and sweep away, in a torrent, all the barriers of the passions.

But this neither CAN be done, nor SHALL be done. Mr. O'Connell stopped the fell attempt, when made in 1813, with all the advantages to the enemy of the disheartened and disunited condition of the people. Again he has, within the last year and a half, checked the first manifestations of its renewal; and his efforts have been so responded to by the united people, that, under Providence, he may be confident of even more triumphant success than before.

We shall have again and again to return to these topics, and shall, therefore, proceed now with what remains unrecorded of Mr. O'Connell's efforts, at what may well be called the Catholic crisis of 1813.

We re-commence with the occasion when the Catholic Archbishop of Dublin, Doctor Troy, gave answer to the reference made to him by Sir Edward Bellow, at the meeting of the 29th May.

On this occasion Sir Thomas Esmonde was in the chair.

The proceedings commenced with a letter, read by the secretary, from James Byrne, Esq., secretary to the Kilkenny Catholic Board, enclosing a resolution from the latter body, which will prove that the "Kilkenny boys" were true to Ireland then as now.

“Resolved—That from the recent conduct of James Bulger, Esq., in supporting an amendment, proposed by Counsellor Bellew, at the Catholic board, on Saturday, the 29th ultimo, which, in our idea, conveyed censure upon our venerable prelates, we deem it expedient to suspend our confidence in him until our sentiments shall be further expressed.”

- The name of the gentleman thus censured, by what might have been called his *constituency*, will be seen in the list we have already given of Counsellor Bellew's supporters in the division of the 29th May.

Mr. Finn (William Francis), who was the acting secretary of the day, “observed, on reading this document, that he had merely complied with his duty, as acting secretary. He had consulted some of the members of the board on the propriety of reading it, and was informed that his doing so was not only his duty, but strictly conformable to former precedents.”

After some other business, Mr. Peter Bodkin Hussey, originator of the defeated amendment of the 29th May, rose . . . “to address a few words respecting the misrepresentations which had gone abroad of his conduct at the last meeting of the board, in reference to the vote of thanks to the Catholic bishops.”

“He paid too high a respect to public opinion to follow the example of others, who had thought *proper to absent themselves in disgust, from further attendance at the board.*

“It had been stated, generally, that those who voted in the minority, on the resolution alluded to, had desired to pass a vote of censure upon the Catholic bishops. Than this assertion, nothing could be more false or unfounded. It had been stated also, that those who voted in that minority, had voted in approbation of the Castle policy. This also was a gross falsehood,” &c., &c.

“Mr. O'Connell rose and said, that he had that day received a letter from the Most Rev. Dr. Troy, which he begged leave to read to the meeting, without trespassing upon their time by making either a speech or a motion.”

“MY DEAR SIR,

“Cavendish-row, Dublin, June 4, 1813.

“The newspapers, in reporting the proceedings of the Catholic Board, on Saturday last, state, (from the speeches of two most respectable members

thereof,) that I had acquiesced in Mr. Canning's clauses, and declared Lord Castlereagh's amendments inadmissible, . . . and that reference had been made to me by those gentlemen for the truth of their assertion.

“ ‘Thus called upon, I feel it a duty I owe to the Board, to the Catholics of Ireland, and to myself, to state fairly the humble part that I took in the occurrences respecting this most important subject.

“ ‘I was honoured with a letter of the 2nd April, from a noble lord, communicating manuscript heads of Mr. Grattan's bill, and of Mr. Canning's *projets* of intended clauses. In my reply to his lordship of the 12th, after consultation with the parish priests of the city, I deprecated any lay interference, not authorised by the church, in the appointment of our bishops; and particularly objected to the proposed inquisitorial, close, absolute, and summary commissions or boards of five lay persons, however respectable from rank and character, without responsibility, as an *imperium in imperio*, and a kind of lay eldership unknown in our church government.

“ ‘On the Sunday before Lord Fingal's departure for England, I observed to his lordship, that the exclusion of the bishops from the proposed commission was insulting to our clergy, as intimating a suspicion or doubt, if not an affirmation, of their disloyalty; and gave him a short, hasty-written memorandum to this effect, of which I have not a copy.

“ ‘On the 7th ultimo, I received a note from Mr. Canning of the 3rd, stating, that he had forwarded his printed clauses by the same post. I replied on the 7th that I had not got them, and on the 8th acknowledged the receipt of them. The *project* respecting the two commissions was altered in the printed clauses, by the insertion of four additional commissioners, the Lord Chancellor, the Chief Secretary, and of two Archbishops; and proposing, that one of the three composing the quorum, should be a Protestant.

“ ‘When acknowledging the receipt of the printed clauses, I remarked to Mr. Canning, “that the inquisitorial commissions, proposed to be established, had occasioned much uneasiness, and excited alarm among the Roman Catholic clergy and laity of Ireland, particularly the former; that I had objected to them, of even composed only of prelates, and protested against them in the name of my brethren in my communications with Lord —, and declared that, if ever admitted, they should be respectively composed of a majority of prelates; or at least of an equal number of peers and prelates; that no change or alteration in our present discipline, respecting the appointment of bishops, could take place, without the concurrence and sanction of the Pope, who is now inaccessible; and, that for further particulars on the subject, I begged leave to refer him to my letter to the noble lord.”

“ ‘To this letter Mr. Canning replied on the 12th, and remarked, “that his communication of the clauses he intended to move, in addition to Mr. Grattan's bill, was made as a matter of courtesy, and not for the purpose of consultation; that it was always his principle, that parliament should decide, not that Roman Catholics should dictate the terms of any act to be passed for their benefit; that on this principle he must decline taking upon himself to announce what I called a *protest* against the clauses intended to be proposed in the committee, the language of protest not being, in his opinion, the language to be addressed to parliament.”

“ In my reply to Mr. Canning of the 15th, I briefly assured him, “ that in using the word *protest*, I did not intend any disrespect or dictation to parliament, or to himself; and that if my brethren should deem it expedient to approach parliament, they would do it respectfully, and in the language of petition.”

“ Two members of the board had called on me on the 8th, to know whether I had corresponded with Mr. Canning or other framers of the bill, or had assented to the clauses, as Mr. Hay had written to Mr. Finn, “ that the bill would not pass without them; that they had been altered and modified in consequence of communications from me, and that the intended committee (he should have said commission) had been so altered as to be only a *species of egistry*.”

“ I assured the gentlemen that I had had no communication whatever with any one of the committee preparing the bill, previously to the 3rd, the date of Mr. Hay's letter; and that so far from assenting to the clauses, I had protested against the commissions in a letter to a noble lord; and that I considered them as *veto*s of the worst kind. This was reported to the board on the same day by both gentlemen.

“ As his lordship's correspondence with me was confidential, I wrote to him on that evening, expressing my great surprise at Mr. Hay's having seen it, and my equal alarm at his stating that I had assented to the clauses.

“ It is true, I suggested some amendment in them to his lordship; but, excepting those regarding the words *spiritual* and *ecclesiastical*, they were not adopted. The proposed accession of two Protestant personages and two Catholic Archbishops in the commission, was an alteration; I did not consider it an amendment. I must refer you to a copy of his lordship's reply, dated the 12th, which, at his own particular desire, was communicated.

“ It appears from the endorsement, that the bill, incorporating the altered clauses, and Lord Castlereagh's proposed amendment, was ordered to be printed on the 19th ult. I received it under Mr. Canning's frank, without a line from himself, on the 25th, the day on which our prelates assembled here. They observed, with extreme regret, that the objectionable parts of Mr. Canning's *projects* and clauses were retained in the bill, and aggravated by a double Veto.

“ I had entertained a different expectation, and in my letter of the 20th, to the noble lord, expressed my hope that the bill would be freed from all unnecessary and revolting provisions, and the complex machinery of securities be simplified, and made to stand upon one comprehensive oath, without burthening it with either of the proposed commissions—but *Dissalter visum*.

“ From this detailed statement of the part I took concerning the bill, it is evident that I uniformly objected to the principle of the two commissions proposed in Mr. Canning's *projects* and clauses.

“ In some conversations on the subject with an honourable and worthy baronet, I urged the expediency and necessity of constituting prelates members of any *admissible board*, in the extreme case that it would be insisted on as a *sine qua non* of Catholic Emancipation; and assured him, that our prelates were disposed to conciliate and concede everything they could, with the safety of religion, *under the sanction of the Pope*. From this, my admission, of pre-

lates to compose a board, he misconceived that I had assented to the boards or commissions in Mr. Canning's clauses. On the bill itself, including these clauses and the double Vetoes, I had no material conversation with him.

“ ‘Neither had I, at any time, a conversation on the subject with my learned friend, the baronet's brother, from whom, I presume, he had received information of my correspondence with a noble lord, and consequently argued respecting my conduct, as the baronet did, from misconception, which has led both into an incorrect statement of it.

“ ‘But admitting that I had, in hasty conversation with the baronet, expressed myself doubtfully, or even favourable to the proposed board and clauses, my brethren were not committed by any thing I might have said, or could say, nor precluded from deliberating in common, and deciding as they have done.

“ ‘I cannot decline this occasion, to remark on the learned gentleman's assimilating, in some degree, the members of a mixed inquisitorial commission to the board of trustees of Maynooth College, who are seventeen in number, all Catholics, and of whom eleven are prelates. The college is not of divine institution, but established by regal and parliamentary authority, and is governed by human laws and regulations, according with the discipline of the Catholic church. Catholic bishops, agreeably to the present long established discipline, derive their mission from the supreme pastor and governor of the church, the bishop of Rome, and not from any lay authority whatsoever, which cannot, except by privilege from the church, interfere in their election or appointment. The visitors of Maynooth College are seven, including a Catholic peer and two prelates, and are prohibited by law from interfering with the doctrine or discipline of the Catholic church.

“ ‘The proposed absolute inquisitorial commission would introduce schism, by separating bishops from the head pastor, and eventually undermine the Irish Catholic hierarchy. Such a prospect must, surely, fill the mind of every good Catholic with consternation and dismay. Wishing you every happiness,

“ ‘I have the honour to be, my dear Sir,

“ ‘Your faithful humble servant,

“ ‘J. T. TROY.

“ ‘D. O'Connell, Esq

“ ‘P. S.—I should have *distinctly* remarked, that any commission tending to limit the spiritual jurisdiction of the Pope, without his own consent, would be, on Catholic principles, inadmissible; and that by the hints I had the honour to suggest to a noble lord, I wished merely to render the clauses as little penal, injurious, and oppressive, as possible.’ ”

This letter having been read and listened to without note or comment, Mr. O'Connell presently afterwards proceeded to address the meeting upon what was denominated

"THE REGENT'S PLEDGE.

"He said, he rose to make the motion of which he had given notice on Saturday last, relative to the recorded opinion of his Royal Highness the Prince Regent, upon the subject of the Catholic claims.

"It was a duty which he felt imposed on him by the present posture of Catholic affairs, to place beyond the reach of controversy, present or future, the various motives which had encouraged the Catholics of Ireland to persevere in pressing their wants on the consideration of parliament. Desirous to obtain Emancipation through the legitimate channels of the constitution, and I would not accept it through any other, I wish to demonstrate to the world, that we have had, and still ought to retain, the highest possible personal encouragement to persevere in the demand of our rights—to show that those rights have been distinctly and unequivocally, deliberately and repeatedly recognized by the very first personage in the state.

"This is one great object of my present motion. There is another, and one of some personal and national interest. I wish to justify to the world the enthusiastic effusions of affection with which the first approach to power of his Royal Highness the Prince Regent was greeted by so humble an individual as myself—effusions which were congenial to the sentiments, as they were freely adopted by the deliberate assent of the people of Ireland. I desire to prove, that we were not actuated by the mere delusion of loyalty, nor by expectations of royal patriotism, originating in our own warmth of hope or created by the fertility of our own fancy. Our hopes may have been delusive, but they were not irrational.

"Allegiance to the sovereign has been long the pride and boast of the Catholic people of Ireland—an allegiance not created by personal kindness, but sustained by a rigid sense of duty. The Catholics were loyal to the ill-fated and oppressive House of Stuart. Even amidst the crimes of that unfortunate family, and towards the Irish they were very criminal—even amidst the crimes and oppressions of that family, the Irish continued faithful; and, in the season of their distress, when the Stuarts deprived themselves of all other friends the Irish Catholics served them with a zeal and a bravery proportioned only to the wants of their former oppressors. Allegiance, then, perhaps, ceased to be a duty, and was certainly imprudent; but the Irish heart was not cold or calculating, and it cheerfully spilled its dearest blood in the protection of those very princes, who, in the

hour of their prosperity, had insulted and plundered them. Carried too far, it was a mistaken and an absurd principle of action ; but the spring has not lost all its elasticity, and what our fathers had been, the Catholics of the present day were inclined to be.

“The Prince of Wales certainly appeared to justify this overweening propensity to loyalty, and had been brought up in the school of the most manly and honest statesman of the age—Charles James Fox—a man who inherited so much of fervor of liberty, that it glowed in his heart amidst the chilling scenes of parliamentary profligacy, and was never extinguished, even by the cold damps of ministerial corruption. The Prince had been long dear to Ireland. When upon his Majesty’s first illness in 1788, Mr. Pitt, that greatest curse that ever providence, in its wrath, had inflicted to England—when Mr. Pitt, in 1788, resolved to alter the constitution, and, in point of fact, disinherited the Prince of his due succession to the regal power, he was applauded by the corrupt tribe of borough-mongers, whose applause he paid for with the public money, and he was supported by, what was then called, the monied interest, with whom he had bartered and sold his country. Mr. Pitt accomplished his purpose in England, and bequeathed his example as no unproductive legacy to the late pious Perceval.

“But the Irish parliament judged more rightly ; there were borough-mongers in it in abundance. There were corrupt and bribed men in it ; but there was an Irish heart in that parliament, that more than once triumphed over all the influence of the minister, and over all the powers of corruption. The Irish parliament decided—and decided justly—that, as upon the personal demise of the King, the regal authority would belong, of unquestionable right, to the Prince ; so, upon the political and moral decease of the reigning sovereign—for loss of reason is surely moral and political decease—the authority of the crown ought, by the closest and clearest analogy, belong to the same prince.

“In the one case, George the Third was, for any of the purposes of the constitution, as much dead as in the other ; and the commensurate consequences ought to have followed in one case as in the other. It was thus the parliament of Ireland determined ; and the Irish people, with one voice, confirmed that decision.

“Who can forget the answers of his Royal Highness—who can forget how he talked of ‘his affection and gratitude to the generous people of Ireland?’—how he promised to devote his life ‘to the pre-

servation of their liberties—to the establishment of their happiness?

“When, after a silence of more than twelve years, the Catholic question was revived and brought before parliament in 1805, we had the meanness (pardon me the expression, it is extorted by truth) to apply to Mr. Pitt to present our petition. Mr. Pitt, whose written pledge in favour of Catholic emancipation, was in our hands—Mr. Pitt, ever consistent in abandoning any principle that might injure his interests, refused to interfere on our behalf, or to perform his promise.

How different was the conduct of Mr. Fox. He well knew that by assisting us, he would increase the number of his enemies in England, and the difficulty of his attaining power. But he did not hesitate to become our advocate; he presented the petition and supported it by one of those powerful bursts of eloquence, the effects of which upon the English mind, still operate in our favour. At that period, Mr. Fox was the intimate—the particular friend of the Prince. It required little power of association to combine the wishes of the one with the sentiments of the other. And although the Prince did not attend the House of Peers, when our question was debated—though he neither spoke in the house, nor voted for us, yet his opinions were not concealed.

“Shortly after that debate, a letter was written, by the late Earl of Kenmare, to a gentleman still in this town, stating the substance of a communication made to him by the Prince of Wales on the subject of our claims, in which the Prince most distinctly recognized the justice and the expediency of concession to us; excused himself for yielding to the obvious motives of delicacy, which prevented him at that period from taking any public part on our behalf, but added the solemn declaration of his determination to forward our relief so soon as he might have it in his power constitutionally to do so. Such, Mr. Chairman, was the substance of the Prince's pledge, as stated in the letter of the Earl of Kenmare. It contained a request, that the gentleman to whom it was written (a Catholic barrister of family and fortune, and of eminence in his profession,) should show it to many of the Catholic noblemen and gentlemen in Ireland, so as to give it as much publicity as possible, without inserting it in the newspapers.

“And, here, I beg leave to correct an error into which I was led on this subject by the perusal of Lord Kenmare's letter. I certainly

did understand his lordship to have stated, that the Prince's sentiments were communicated in writing, and were transmitted to the noble earl, by Colonel M'Mahon, at Cheltenham. How I could have been mistaken I know not, but it is quite certain that I was under a mistake; for, having at a public meeting asserted the existence of such written pledge in the hands of Lord Kenmare, his lordship wrote to me shortly after to say, that he had no written pledge from the Prince—that the declaration made to him by his Royal Highness was not in writing, but was merely verbal. I did then press upon his lordship to allow me to put before the public, in an authentic shape, the particulars of such verbal declaration, and declared, if he would do so, my readiness to contradict the existence of the pledge in writing. But I could not succeed in obtaining from him the publication under his direct sanction, of the precise nature and of the particulars of a communication in which millions are interested.

“Since that period the noble lord is no more. With his virtues, his secret, if I may so call it, is buried. Nothing remains of it but the fading recollection of persons who have heard the language of the Prince only from the report of the noble earl. There lives, however, another noble earl, and long may he live for Ireland—the Earl of Fingal (hear, hear,) to whom a similar communication was made by the Prince of Wales. It was not made in any confidence, but expressly for the purpose of being circulated amongst the people of Ireland, and to serve as a soothing balm to assuage the fever of a disappointment created by a rejection of their petition. This declaration of his Royal Highness to the Earl of Fingal contained the same assertion of his having been prevented by motives of delicacy and respect from giving us public support, and of his conviction of the justice of our claims, and his determination to assist, whenever he might be able to afford constitutional assistance.

“I am enabled to be thus minute, because the particulars of his communication have been preserved with an accuracy suitable to their importance. The Earl of Fingal, who is placed at the head of the Catholics of Ireland, much more by the unfading lustre of his virtues, than by his exalted rank and ancient honours—Lord Fingal, on the very day of his communication, put the particulars upon paper; and as Lord Clifden, and the late Lord Petre, were present at the conversation, the paper was shown to them on the same day, and they declared the perfect accuracy of its contents. This it is that I am

desirous should come before the public, and remain for ever as an authentic document of the free and unbiassed opinion and judgment of his Royal Highness the Prince of Wales in our favour.

"I repeat, that no delicacy is violated by the disclosure of this fact; it was communicated to me without any circumstance betokening confidence. I heard it from the noble earl in Fitzpatrick's shop; there were three or four others present—one of whom was my respected friend Captain Bryan; and, indeed, from its nature, it could not have been intended for any secrecy.

"But this was not the only authentic proof we had of the sentiments of his Royal Highness; there are several gentlemen present, to whom a similar pledge from the Prince was communicated, by his Grace the Duke of Bedford, whilst he was Lord Lieutenant in this country. Indeed, I understand that nothing could be more distinct than the promises held out in that respect by the Duke of Bedford; and there can be no doubt that his Grace did not so promise without the express authority of his Royal Highness. With these sure grounds of hope—with a reliance upon the honour and integrity of the Prince—with all the confidence inspired by his declaration, that power was a trust for the people, the Catholics of Ireland viewed his accession to power with the most ardent, the most affectionate demonstrations of loyalty.

"That loyalty does, and will ever remain unshaken; but subsequent events have damped the ardour of our affections, and turned into the cold observances of duty, those feelings of enthusiastic attachment with which we were prepared to support a prince who should rule for the good of the people. If those feelings had been encouraged—if their growth had been fostered, what a different scene would Ireland at this day present! Instead of detaining an army in her barracks, her entire population, her instinctively martial population, would have furnished ten armies for the public service, and the tranquillity of the land would be secured by an unarmed police constable. Would to God I could contribute to produce such a state of the public mind! But, if we cannot revive those hopes, let us, at least, leave the grounds upon which they stood as an imperishable record of our right to freedom. Our children will, in addition to the arguments in favour of their liberty, be able to adduce the authority of, first, nearly a majority of the House of Lords; secondly, of repeated majorities in the House of Commons; and thirdly, of his Royal Highness the Prince Regent.

“ Besides, the authentication of this pledge may serve as a check upon the favourites and ministers of his Royal Highness. With the knowledge of the existence of these pledges, that pious and very exemplary character, Lord Yarmouth, may cease to infuse scruples into the mind of the Prince. Nothing can be more admirable than Lord Yarmouth's zeal for the Protestant religion ; he is an ornament to the Protestant church, and it is certainly a consolation to the people of Ireland to be able to attribute their sufferings to the hallowed source of that noble lord's piety. But he will not, zealot though he be, he will not advise his royal master to leave those his solemn pledges unredeemed ; neither will any minister attempt to advise the Prince to violate his word, or to enter into an unconstitutional and unbecoming canvass against us, or to hold out promotion in the army as a reward for betraying our rights ; neither will any prime minister of the Regent dare to suggest the holding up of any office, such, for example, as that lately held by Lord Ormonde, to auction, to ascertain who could bid most parliamentary interest against the Catholics, as the price of such a place.

“ Nothing of that kind can occur to the mind of a minister who beholds how solemnly his Royal Highness has promised to us his countenance and protection. I think, therefore, you will not hesitate to accede to my motion. My object is, that it should be carried into effect in the manner most respectful to the Earl of Fingal ; I feel for that noble lord the most profound respect. The Irish people owe him, and they cherish for him, the most unbounded gratitude. I shall deeply regret if my motion gives him one unpleasant sensation ; I think it is not calculated, as it certainly is not intended to do so. And should his lordship think that this is not the moment to give to the public the document in question, I shall respect the delicacy that may suggest a decision, which in itself I would consider unfavourable to the just hopes of the Catholics.

“ Mr. O'Connell concluded by moving :—

“ That the secretary be directed to write to the Earl of Fingal, in the most respectful manner, to request of him to communicate to the board the contents of the paper, containing the declaration of his Royal Highness the Prince of Wales on the Catholic claims, made to his Lordship, in the presence of Viscount Clifden and Lord Petre.”

“ Major Bryan bore testimony to the accuracy of Mr. O'Connell in the statement he had made relative to Lord Fingal. He (Major Bryan) had been present, as was also Sir Francis Goold, when the

noble earl related the entire circumstances of the declaration of the Regent.

“Mr. Bagot said he was happy that the result of the learned gentleman’s oration was such as to save him the trouble of going over the numerous topics he had introduced, and to render it only necessary for him to give a short opinion upon the expediency of his motion, as it respected the personal feelings of Lord Fingal. And as it regarded his lordship’s private sentiment, he had no hesitation in avowing, that it met with his most decided disapprobation. He knew Lord Fingal would not consent to the request that was about to be made to him—nay, he had authority for avowing the fact.

“Why should he then be placed in an invidious and disagreeable position?

“Mr. Bagot (in the words of the report we quote—viz., the *Dublin Evening Post*) concluded a very dignified and animated speech, by deprecating a warfare with the first magistrate of these realms, who could do service, and might do injury. Some gentlemen seemed to consider such a warfare extremely useful in promoting the success of the cause of Ireland.

“Mr. O’Connell said he had but one word to reply to that assertion of Mr. Bagot’s, which attributed to the violence and disrespectful conduct of the Catholics, the opposition they had had to encounter from a certain quarter. That gentleman was strangely mistaken. It was surprising how he could be so very much mistaken. It was long before the resolutions he alluded to, that the opposition to the Catholics commenced.

“Nay, long before those resolutions, and while the Catholics were in the midst of their praises of the Regent, and full of their hopes from him, while they were calling his Royal Highness their early friend—their best and proudest hope—it was then, even then, in the full tide of their warm affections, that they had been met by a state prosecution—that they were handed over to the Attorney-General, and to the Duke of Richmond, and to Lord Manners, that their delegates were arrested, and their meetings dispersed!

“It was at that period of confidence and affection that the common police justices were sent to arrest the noble earl at their head!

“The resolutions to which Mr. Bagot had alluded were *not* the causes of the opposition to us; they were, on the contrary, the consequences of that very opposition. They followed as the effect of that

opposition; they did not precede nor create it. It was after the prosecution against us had commenced, long after, that we publicly mourned the '*unworthy witchery*' which had, with magic touch, blasted our fervent hopes, and blighted our fairest projects!

"It would seem, too, that Mr. Bagot threatens us with the alienation of the mind of his Royal Highness from us and from our cause. He forgets that the Prince is of a very forgiving disposition. Before he attained power, his royal brother, the Duke of Cumberland, gave him, it is said, no great cause for ardent affection. They were supposed to be upon no very good terms, yet he has become, and most deservedly, a prime favourite, so that, although that royal duke is valiantly serving his country, and putting down the French, one is surprised he can be spared at home! (Cheers and laughter.)

"Again, was there ever so decided an enemy to the Prince as the man whom he selected as his first and favourite prime minister, the God-like Perceval? What is it, too, that has attached him to Lord Yarmouth? But I need not press the subject. Can it be otherwise than clear that his Royal Highness is not actuated by mere low and selfish motives? He has neither predilection nor resentments!

"Mr. Bagot made a brief reply, chiefly in explanation, and the board then divided:—

"For Mr. O'Connell's motion, (that Lord Fingal should be written to respecting the written account of the Regent's declaration to him in favour of the Catholics)		36
Against the motion		6
Majority in favour		30

"Major Bryan then moved, pursuant to notice:—

"That the Right Honourable the Earl of Donoughmore be requested to present the Catholic petition, which had been some time since handed to him, forthwith, to the House of Lords."

"Mr. Hussey suggested some preliminary communication with his lordship. Some difficulty might arise as to the precisely proper course of preferring the application to the House of Lords.

"He did not, however, press his opposition.

"Mr. O'Connell said that the motion had his hearty concurrence, and he rose merely to express the full confidence of the Irish people, in the Earl of Donoughmore. In his family, the Catholics had found

their first and their best advocates—their sincerest friends. That noble earl would support their cause, as the cause of a great people ought to be supported. He would rest it upon the basis of right and justice, and give to every class of Dissenters the benefit of the principle for which the Catholics contended—the principle of universal liberty of conscience.

“Lord Donoughmore would enter into no compromises unbecoming so great a principle. He would not seek to buy over one enemy by bartering for his vote part of our liberties; nor would he seek to purchase another enemy by discounting with him part of our religion. The Catholics could confide in the Earl of Donoughmore; in his talents, his integrity, his manliness, and his devotion to his country, they must repose unlimited confidence. It was in the expression of that confidence, and of their gratitude, that they might fail, because language was inadequate to express the fulness of the Irish heart, towards that friend who had never been even mistaken in his advocacy of their cause.

“It was deeply to be regretted that our other friends did not imitate that noble lord. It was deeply to be deplored that they had so widely mistaken the proper course. No man could be absurd enough to doubt for one moment the sincerity or the pure patriotism of Grattan. But it was the misfortune of Ireland that his eye, rolling in the fine frenzy of poetic eloquence, was so filled, with its own light as to be quite insufficient for the minute details of practical drudgery. No man admires Mr. Grattan more—few admire him so much as I do; and I respect, with bitter sorrow, the errors of his judgment—his heart was never wrong.

“I may (said Mr. O'Connell,) be calumniated for speaking the truth to you; but I owe it to my country to express—to express with great respect for our friends—to express my entire disapprobation of the manner in which they have lately conducted our cause. They imagined, perhaps, that they showed impartiality in their scorn of our assistance; or, perhaps, they still entertain—justly perhaps—the notion, that there is in Protestant intellect a natural and moral superiority over that of papists, at least of Irish papists, which cannot be surrendered!

“But see what the facts are, Mr. Grattan, I understand, took over with him to England a draft of a bill for our relief, drawn in Dublin, last winter, by, I believe, Mr. Wallace, Mr. Burton, and Mr. Burroughs. Not a single Catholic—lay or ecclesiastical—merchant,

lawyer, or priest was consulted upon it. Surely we are not quite so dull as not to know what have served us; but, no—not one Catholic was consulted. This bill arrived in England, but there, I have heard, was altogether abandoned, and a new bill got up by some worthy English gentleman, who would, I presume, feel something like an insult, if it were suggested to him that we could assist him. Our delegates were in London; they were never consulted; they almost obtruded their advice; they were received with courtesy, but all confidence was withheld from them. Well, this bill is at last produced, and it turns out to be just what our enemies could have wished. It is narrow and limited in principle, or rather, it asserts no principle. It is slovenly and untechnical in its language. It is inoperative as to any substantial relief. It is introduced, to be sure, with all the pride, pomp, and circumstance of eloquence, more than human; but the very person who introduced it was only the first victim to its delusion.

“There never lived a man less capable of practising any deception than Mr. Grattan; but the very generosity and nobleness of his mind exposes him to the delusions of others. In the meantime an attempt is made to stifle the sentiment of the board. We were to have been silenced, lest we should disturb the course of this further relief; and, in the interval, a secret agency was known to be on foot in many quarters amongst us. They thought of sharing the spoils before they could be certain of the victory. Silence was the order of the day; and Mr. Grattan was left in his error, because some amongst us conceived they had an interest in carrying any bill. I have even seen a letter from a whig baronet, in parliament, in which he suggested the whiggish idea of forming a party in the board in favour of this bill. Part of that letter was published in the newspapers; but this patriotic idea was suppressed: at length, however, our dissatisfaction began to appear; spite of every restraint, it burst forth; and to close the curious history of this further relief bill, the Right Hon. Mr. Plunkett came over, with the assent and approbation of my Lord Viscount Castlereagh, to reconcile all parties to this bill!

“Strange mission! What! to reconcile the Catholics to a bill for their relief! What! to entreat of the Catholics to be emancipated? He came over to reconcile every body—he reconciled no body; and, in the meantime, this bill met the fate it deserved, and all Ireland rejoiced in its extinction.

“I do, therefore, solemnly protest against the course that has been

adopted upon this occasion. Grattan, the patriot—Grattan needs but to be informed of your wishes to comply with them. Surely Canning, though a powerful framer of jests, is not the Catholic cause; nor is Castlereagh, though a speaking man, the representative of the Irish sentiment. Let us, of all things, get rid of secret negotiation: our friends are deceived, constantly deceived, by private information. Let us, also, take care to disentangle our cause from the jobbing of the English Catholics; they have just thought fit to signalize their English magnanimity, by sacrificing to their enemies the first of their bishops; and they have humanely attempted to bring the grey head of that venerable prelate in sorrow and disgrace to his grave. They remind one of a band of negro slaves, who, upon the promise of a half holiday, celebrate their joy, by crushing with their chains some unfortunate fellow-slave who presumed to think that black was as good as white, and that colour was no justification of slavery!

“Well, be it so. They have censured the agent of our bishops; but, in recompense, they have thanked Lord Castlereagh! Did they never hear that the Irish people were scourged, and picketted, and tortured? Did they never hear that the lash smacked, and the shriek resounded, and the cry of agony was heard, and the yell of the tortured rent the air, and that this full chorus was music to the ear of Lord Castlereagh! Yes, they did hear it all; and therefore it was that these English thanked my Lord Castlereagh, and censured their prelate.

“This is a subject I will beg leave to bring again before the board. We owe it to Ireland to preclude the possibility of any interference of any English Catholic with our cause. We owe it mainly to one of them that we are still unemancipated. Let me be pardoned for thus trespassing on your time. I need not, in conclusion, say, that the motion of my respected friend has my entire approbation.

“The resolution was then put from the chair, and carried unanimously.

“Major Bryan, wishing that the resolution should be conveyed to Earl Donoughmore in the most respectful manner possible, moved—

““That the chairman, Sir Thomas Esmonde, be requested to transmit the same.”

“This being seconded, was carried unanimously.

“Mr. O'Connell gave notice of a motion of thanks to the General

Assembly of the Church of Scotland for its recognition, at its late meeting, of the freedom of conscience.

“Mr. O’Connell gave notice of a motion of thanks to the Right Rev. Dr. Milner, and the meeting adjourned.”

His allusion to the conduct of the English Catholics towards “the first of their bishops—the agent of the Irish bishop,”—referred to the manner in which they had treated the celebrated Dr. Milner, Vicar-Apostolic of the midland district in England, a prelate to whom the foregoing expressions strictly applied.

Throughout all the Catholic agitation—but eminently during the “Veto” and “Securities” discussions of the earlier years of this century—the English Catholics manifested a sad spirit of compromise, not only in matters political, but in those of an ecclesiastical and religious nature.

Prominent amongst the advocates of compromise was the late Charles Butler, of Lincoln’s-Inn, whose abilities and high legal acquirements rendered him the more dangerous in the unworthy course he and his fellow-Catholics of England were pursuing.

Dr. Milner, from the prompting of his own clear head and right heart, and also from the representations of the Irish Catholic Bishops, whose agent he was, put himself strongly in opposition to Mr. Butler and his party at several periods of the “Veto” and “Securities” discussions, but particularly at the juncture to which our Memoir has reached.

All that is further necessary to be known preparatory to the motion of thanks to the Right Rev. Prelate, of which Mr. O’Connell gave notice at the last meeting we have quoted from, can be gathered from the following extracts from the newspapers:—

“At a numerous meeting of the General Board of British Catholics, assembled at the Earl of Shrewsbury’s, in Stanhope-street, on Saturday, May, 29, 1813,

“The Earl of Shrewsbury in the chair—

“It was resolved—

[Here follow two long, wordy resolutions, thanking the origi-

nators and supporters of the recently-rejected Catholic bill in the Commons, and expressing confidence in the good intentions of the Legislature.]

"3. Resolved—'That a paper entitled, "A Brief Memorial on the Catholic Bill," and signed John Milner, D.D., having been distributed to members of the House of Commons, during the discussion of the bill brought forward for the removal of the civil and military disqualifications under which his Majesty's Roman Catholic subjects now labour, and containing assertions derogatory to the honour and the loyalty of the Roman Catholic laity, and inferring consequences from the bill, if carried into execution—not warranted by its proposed enactments, and highly injurious to the political integrity and wisdom of the framers and supporters of the bill (!) and directly opposite to their declared intentions, as stated in the preamble to the bill, this board feel themselves called upon to publish the following resolution, passed by them in May, 1810, viz. :

" 'That we do not consider ourselves as implicated in, or in any way responsible for, the political opinions, conduct, or writings, of the Right Rev. Doctor Milner, Vicar Apostolic of the Midland District,' &c., &c.

" Resolved further—'That Charles Butler, Esq., is entitled to the thanks of the General Board of British Catholics, for his great exertions in support of the Catholic cause; and that the charge made by the Right Reverend Doctor Milner against him, is a GROSS CALUMNY. (!!!)

" 'That, under the present circumstances, it is highly expedient that the Right Reverend Doctor Milner should cease to be a member of the Private Board, or Select Committee, appointed by the General Board of British Catholics, on Thursday, May 13, 1813.'

(Signed)

"SHREWSBURY, Chairman."

It was, indeed, high time that that revered and illustrious prelate should cease to be a member of a board where, to say nothing of other delinquencies, Catholics would speak of and treat a bishop in such a manner!

No wonder that among the sons and descendants of such men, we should hear that in our own day it is a practice to treat their chaplains, anointed priests of the Catholic Church, like *upper servants*—at best, condescending to allow them to appear in their drawing-rooms and dining saloons "*only*," as we knew an English Catholic of rank once to say, "*when there is no company !!*"

Dr. Milner wrote a very powerful reply to these base and insolent resolutions, protesting against the assumption by the English Catholic Board that they represented Catholic feeling, denying the charge of having himself assumed to do more than speak the sentiments of the Irish bishops, and strongly renewing his protest against the bill that was the subject of controversy.

He proved that Mr. Butler (when an act for the relief of the English Catholics was under discussion, in 1791,) had strongly exerted himself, fortunately in vain, to support the insertion of a form of oath for Catholics, in which they should thus describe themselves:—"I hereby declare myself to be a PROTESTING CATHOLIC DISSENTER!"

The *Evening Post* of the 10th June, 1813, gives the following:—

"Extract of a private letter received at our office this morning, dated—

" ' London, Monday, June 7.

" "Two English Catholics of rank waited upon his Grace the Duke of Norfolk, on Saturday last, to inform him of the valorous exploit of their board, at its meeting of the 29th ultimo, in expelling the venerable Milner from their room, *with shouts of indignity and wrath.*

" "The Duke, who was bred a Catholic, retains his ancient habits of intimacy with the bishop, and although he renounced Popery for political pursuits, yet he has *not*, like vulgar renegades, withdrawn his support from the Catholic cause. His two noble visitors having detailed to him their *honourable* triumph of the 29th May—"Aye, you have done well," observed his grace, with the keenest irony, "I applaud you for this; it is just what I ought to wish. You are following my example. You will soon become good Protestants. I *have been only thirty-five years beforehand with you.* But, after all, *let me tell you, that Doctor Milner is only defending the true old Catholic religion.*"

" "The visitors felt the sting,—made their *congee*, and returned to Stanhope-treet."

On the 12th of June, the meeting of the Catholic Board, at which Mr. O'Connell was to have moved the vote of thanks to Dr. Milner, of which he had given notice, the proceedings were opened with the reading of the answer of the Earl of Donoughmore, to the communication made to him from the board on Major Bryan's motion.

His answer was unsatisfactory and discouraging; informing them, amongst other things, that "their parliamentary friends had come to the decision of refraining from any agitation of the Catholic question in the House of Lords during that session."

Nicholas Mahon pressed for a rescinding of Major Bryan's resolution, in consequence.

Mr. O'Connell protested against it. "If ministers were to

see that his Lordship could restrain the Catholics from presenting petitions, all the inconveniences which these petitions had brought upon them would be attributed to his Lordship."

He then brought forward one of his notices of motion of that day for an address to the people.

Some opposition having been made to his proceeding with that first—

"Mr. O'Connell, however, conceived himself clearly entitled to move any particular one he chose, as (there being no notices for this day except those given by himself), he could not interfere with the convenience of any other gentleman. The first thing on which he should call the attention of the board, was the address to the people on the present critical situation of their affairs, of which he had given notice.

"He knew that anxious and persevering attempts were making to renew the associations which had been, on some other occasions before, formed for treasonable purposes. That such efforts were going forward he was perfectly satisfied; he had it from authority upon which he could rely, and his object was to guard his generous, open-hearted, but sometimes inconsiderate countrymen, from falling victims to the snares which were cautiously and carefully set for them by their designing enemies. Every person who heard him was aware, that plans of the kind had not only been as heretofore conceived, but had actually, to a certain extent, proved successful. In the very city of Dublin had the stratagem been practised. A meeting was organized by a man of the name of Fisher. He persuaded these poor deluded creatures, that he was acting with the privity and consent of the Catholic board—that their secretary, Mr. Hay, had frequent communication with him, and that they were ready to enter into rebellion, to seize the barracks and the Castle. (A laugh.) The Catholic board discovered the nefarious trick, and, with the prompt sense of duty and loyalty which always characterised them, communicated the whole to his Majesty's government. Fisher, however, had contrived to escape, was never since found, and he was, probably, enjoying the reward of the treachery, even, perhaps, within his (Mr. O'Connell's) hearing.

"The government had ever been most laudibly persevering in their efforts to detect the individual who promoted treason, and

followed even the remotest scent that could lead to his punishment in every instance but this ; here, however, he could not discover that praiseworthy activity.

“ Again, in Kilkenny, was it not notorious, that daring attempts had been made, even by official characters, to involve the Catholics in practices ruinous to their fame and to their lives? It could not be forgotten that, in Limerick, a person who was himself a Protestant formed an association of unfortunate dupes, amounting to eighteen in number, and swore those men to subvert that government which was of the religion he professed and disgraced, and to substitute a Catholic ascendancy in its stead. Yet, in Limerick, which had in modern times been found to be so invariably attached to everything Protestant and everything loyal, no magistrate could be found to act! At length, compulsion and shame caused this horrid incendiary to be committed, but he was not detained twenty-four hours in custody; and though not less than ten king’s counsel go that circuit, not one of them received instructions to prosecute him. When he (Mr. Connell) perceived this, he preferred bills of indictment against the man, when, *so disaffected were the famous Lord Kiltarton’s grand jury to his Majesty’s government, that they ignored the bills, although they had the distinct evidence of two unimpeachable witnesses, that the accused was guilty of treason!!!*

“ Three emissaries were, dispatched by the Limerick party into the county of Kerry to seduce the Catholics there, as twelve of their brethren had been, on a former occasion, seduced at Cork, under a promise of taking them to the Continent, and procuring them twelve generalships in the French army. When they arrived at Cork, they were delivered up to the mayor. The agents who had been sent from Limerick to Kerry were too well watched to effect anything there, but the people could not be too much on their guard.

“ The different attempts he had mentioned were only a few branches which had exploded of that mine of treachery which was secretly working, and against which it was his anxious desire to provide. He was well informed, that in the counties of Carlow, Wicklow, Wexford, Kildare, and several others, agents were busy in endeavouring to form something of the society of United Irishmen, and that they assured their intended victims that the Catholic board was false to the allegiance it had sworn. I wish the people to have the authority of the board itself to say that this was false, and thus confound the base and seditious plotter. The loyalty of the Catholic

board was undoubted, and was the true loyalty; it was not that species of loyalty which would wish to engross every blessing of constitution to itself, as the payment due to its obedience, and exclude every other person, but it was that loyalty which would support the state and the constitution, by uniting every heart and hand in the empire in its defence.

"It was to preserve the people from the slightest violation of the law, to which it was the objects of those agents to make them all victims, that he had prepared his address. While the Catholic is refused the benefit of that constitution, which is the common birth-right of every British subject, his opponent is admitted into the society of princes. Mr. O'Connell concluded by moving his address, and observed, that if it required an alteration or amendment, the plan would be to refer it to a committee to make the necessary alterations or amendments. We shall give it presently as reported from the committee.

"He declared the address did not include any charge against the government. It was an inferior agency it had in view. He did not ask to have the existence of the plans, which his address was intended to render inoperative, taken upon his assertion. That they had existed, was, he thought, pretty clearly proved by the facts he had mentioned of what occurred in Dublin, Kilkenny, Limerick, &c.; and that they at present existed he was certain, from information he had received; but did gentlemen who wished for a committee, think that such an informing spirit had gone forth among the people, as to make them come forward and publish the names of the actors? If so, they were mistaken.

"Committee formed—Mr. O'Connell, Chairman; Mr. Scully, Major Bryan, Mr. N. P. O'Garra, Mr. Mahon, Mr. Finn, and Mr. M'Donnell.

"MOST REV. DR. TROY.

"Mr. O'Connell rose to move a resolution of thanks to Archbishop Troy. The respected prelate had made a lengthened communication to the board. By this he marked his respect for the body, and for that purpose only did he make it. It was his sincere wish to stand well with the board, and conceiving that the part he had taken on the recent very delicate occasion required he should be explicit, he had sent the communication merely to afford the necessary explanation. Mr. O'Connell said, he thought it unnecessary after saying

thus much, to take up any more time, as he was sure there would not be a contradictory voice. He then moved the vote of thanks.

“ DOCTOR MILNER.

“ Mr. O’Connell said, that he thought it was now too late to proceed with a motion of so much consequence, as that of which he had given notice, respecting Doctor Milner. He should, therefore, withdraw his motion, and enter a fresh notice.

“ He had another and a better reason than the lateness of the hour for postponing it. He would wait to consider further on the shape in which he would bring it forward. He had heard matter even that day that made him wish to defer it, and would, perhaps, allow him to follow a mode of proceeding, which would not cause any division. (Hear, hear.) That there was a difference of opinion upon the subject he could easily perceive, but he expected that the consideration of the interval would tend to remove all difficulties, and bring gentlemen to the desirable unanimity on such a subject.”

On the 10th of this month (June, 1813), a dinner was given, in London, to the Catholic Delegates, by “the Friends of Religious Liberty.”

The Duke of Bedford was in the chair, and was supported by the Dukes of Kent and Sussex. The London correspondent of the *Post* thus described the rest of the attendance—

“ Three Dukes, besides those of the blood royal,
Five Marquises,
Nineteen Earls,
Eight Viscounts,
Fifteen Lords,
Sixty members of the Lower House,
And, altogether, nearly 500 persons at dinner.”

The Catholic Delegates who were thus honoured, were :—

The Earl of Fingal,
Earl of Kenmare,
Sir Francis Goold,
Owen O’Connor (O’Connor
Don),
Mr. John Bourke,

Messrs. M. M’Donnell,
Edward Hay,
C. Evans,
J. Howley, and
V. Bushell.

The proceedings were of the usual class of complimentary

dinners, and therefore need no further description. The Duke of Sussex and Lord Holland denounced the Orange system with great violence.

The Catholic Board met on Sunday, the 13th, to arrange the resolutions for the aggregate meeting of Catholics, which was appointed for the following Tuesday. Mr. O'Connell was not present.

In his absence, Dr. Dromgoole took up the question about Dr. Milner, and proposed a resolution of thanks to that prelate, to be brought forward at the aggregate meeting.

He was warmly supported, and carried his proposition with their aid, by—

Major Bryan,
Mr. Scully,
Mr. Wade,
Mr. M'Laughlin,
Mr. O'Callaghan,
Mr. R. O'Callaghan,
Mr. Kelly,
Mr. Sweeney,

Dr. Sheridan,
Mr. James Lalor,
Mr. Mahon,
Mr. Doyle,
Mr. Finn,
Mr. Byrne, and
Mr. Bernard Coile.

The motion was strongly opposed by Mr. Hussey and the following gentlemen—

Lord Trimbleston,
Mr. Breer,
Mr. Connell O'Connell,
Mr. Costigan,
Mr. Kirwan,

Mr. Roche,
Mr. Rooney,
Mr. Hughes, and
Mr. James Farrell.

Before the aggregate meeting, accounts arrived in town from Cork and Limerick, conveying strong resolutions from large assemblages in both those important localities, of respect and approbation of the conduct of the bishops, and entire coincidence with the majority in the Catholic Board.

The theatre in Fishamble-street was again the scene of action, on Tuesday, the 15th of June. Over 4,000 persons were calculated as being present, and the boxes were filled with ladies. The papers stated that "great numbers of Protestants (English, Scotch, and American) were present."

Major Bryan in the chair.

Mr. Finn was chosen secretary to the meeting, and Nicholas Purcell O'Gorman, Esq., was called upon to report the proceedings of the Catholic Board since June of the year before. This he accordingly did in considerable detail.

When he had concluded,

“Mr. O'Connell said that he was directed by the late general board of the Catholics of Ireland to read several resolutions, which the board respectfully recommended to the adoption of the meeting. The board did not attempt to dictate to the meeting—it merely suggested those resolutions, eleven of which obtained its ‘unanimous approbation; and it suggested a twelfth, upon which there was, in the board, a division of sentiment. Mr. O'Connell then read the eleven first resolutions, which were as follows:—

“Resolved—‘That we do forthwith renew our earnest application, by petition to the legislature, praying the total and unqualified repeal of the Penal Statutes, which infringe the sacred rights of religious freedom.

“Resolved—‘That we consider ourselves entitled, upon the broad principle of right and justice, to the full enjoyment of the constitution, upon equal terms with our fellow-citizens of other religious persuasions, and, solicitous for the unrestricted exertion of liberty of conscience to all mankind, we ask no more for ourselves.

“Resolved—‘That we have viewed, with inexpressible pleasure and admiration, the enlightened exertions of our fellow-citizens of other persuasions in our behalf—that we hope to merit their honourable confidence, by a perseverance in the same candour, firmness, and temperance, which have already conciliated their esteem; and (although we cannot, in sincerity or honour, purchase our rights by the sacrifices of our religious principles, or by the substitution of one species of humiliating servitude for another) yet we must cheerfully tender to their kind acceptance the only equivalent in our power—our warm affections and lasting gratitude—our oaths of allegiance, our past merits and forbearance, our present willingness to assist, whenever permitted, in the arduous enterprise of saving the sinking vessel of the state.

“Resolved—‘That equal constitutional rights, unconditional, unstipulated, unpurchased by dishonour, are the objects most dear to our hearts. These objects consist with virtue, wisdom, humanity, unaffected honour, and true religion, and can never be abandoned by men who deserve to be free.

“Resolved—‘That, for the complete attainment of these, our constitutional and salutary objects, we confide in our own persevering firmness, in the growing liberality and wisdom of our fellow-citizens, and, above all, in that overruling Providence which presides over the destinies of nations, and permits not the prolonged oppression of man, by his fellow-creature, with impunity.

“Resolved—‘That the charge of preparing the said petitions, and of causing them to be duly presented without delay, be confided to the individuals (composing the confidence of the Catholics of Ireland) who lately constituted the general board of the Catholics of Ireland.

“Resolved—‘That the said persons are so nominated, not to represent the

people of these realms, or any portion thereof, but merely for the purpose, solely and exclusively, already prescribed, and for no other purpose whatsoever.

“Resolved—‘That the said persons be requested to submit to the Catholics of Ireland, to be assembled in aggregate meeting, on this day fortnight, drafts of petitions for their adoption.

“Resolved—‘That we do strongly recommend it to the inhabitants of the several counties, cities, towns, and parishes of Ireland, to present separate addresses to the Crown, and petitions to parliament, praying the total and unqualified repeal of all those Penal Statutes, which infringe the sacred rights of private conscience in religious concerns.’

“The twelfth (continued Mr. O'Connell) is a resolution on which, I am sorry to say, there was some difference of opinion in the board, but upon which, I am confident, there will be entire unanimity here. It is a vote of thanks to the Right Rev. Doctor Milner.” . . .

The *Dublin Evening Post*, in its report of the proceedings, says that—

“When Mr. O'Connell adverted to the revered name of the persecuted Dr. Milner, he was interrupted by the loudest acclamations we have ever heard. All voices were raised to greet this favoured name. Clapping of hands, beating of feet, &c., &c., were continued and resumed during several minutes, and at three successive intervals.

“When, afterwards, he came to move the distinct resolution, the twelfth in order, viz.:—

“Resolved—‘That the warm approbation and gratitude of the Catholics of Ireland be conveyed to the Right Rev. Dr. Milner, for his manly, upright, and conscientious opposition, in conformity with the most rev. and right rev. the Catholic prelates of Ireland, to the ecclesiastical regulations contained in the bill lately submitted to parliament, and purporting to be a bill for the further relief of his Majesty's Roman Catholic subjects,’

“The same thunder of applause was repeated, but with peals of, if possible, augmented force and renovated energy.

“The whole assembly rose, as if with one impulse. All hats were taken off, and each spectator waved his hat with the loudest demonstrations of pleasure. The ladies came forward, and by courtesies, signified their participation in the general feeling.

“In short, an electric sensation was apparently excited, springing from the reverential sentiment of merited respect for the Irish prelates, and to their insulted brother, the Right Rev. Doctor Milner.

"The enthusiasm subsided very slowly, and had not wholly disappeared when the assembly broke up."

When Mr. O'Connell was allowed to proceed after the striking demonstration of feeling thus described by the *Evening Post*—a description strictly according to the fact, he read the remaining resolutions, viz. :—

"Resolved—'That we feel it necessary to repeat our earnest exhortation to all Catholic freeholders throughout Ireland, to register their freeholds, and steadily to resist the pretensions of any candidates for their votes, who shall have lent, or are likely to lend, their support to any administration founded in intolerance, and hostile to the full enjoyment of religious freedom :

"Resolved—'That the expenses unavoidably attendant upon the conduct of Catholic petitions, and the defence of the invaded rights of petitioning, call for the liberal aid of our fellow-countrymen ; and we confide in the public spirit and zeal of the Catholic body, throughout Ireland, for ample pecuniary support :'".

And moved that the entire should be adopted.

"Having thus discharged (said he, in continuation,) the duty imposed on me by the board, and having come here determined to address this meeting, I avail myself of this opportunity to solicit your patience and attention. Let me, in the first place, congratulate you on the progress which the principle of religious liberty has made since you last met. It has been greatly advanced by a magnificent discovery lately made by the English in ethics, and upon which I also beg leave to congratulate you. It is this—several sagacious Englishmen have discovered, in the nineteenth century, and more than four hundred years after the propagation of science was facilitated by the art of printing—several sagacious Englishmen have made this wonderful discovery in moral philosophy, that a man is not necessarily a worse citizen for having a conscience, and that a conscientious adherence to a Christian religion is not an offence deserving of degradation or punishment. (Hear.)

"The operation, however, of this discovery had its opponents ; like gravitation and the cow-pock, it has been opposed, and, for the present, opposed with success ; but the principle has not been resisted. Yes, our enemies themselves have been forced to concede our right to emancipation. Duigenan, and Nicholl, and Scott are laughed at—not listened to ; the principle is admitted—the right of liberty of conscience is not controverted—your emancipation is certain—it is

now only a question of terms—it only remains to be seen whether we shall be emancipated upon their terms or upon ours.

“They offer you emancipation, as Catholics, if you will kindly consent, in return, to become schismatics. They offer you liberty, as men, if you agree to become slaves after a new fashion—that is, your friends and your enemies have declared that you are entitled to Catholic emancipation and freedom, upon the trifling terms of schism and servitude!

“Generous enemies!—bountiful friends! Yes, in their bounty, they resemble the debtor who should address his creditor thus:—‘It is true, I owe you £100; I am perfectly well able to pay you; but what will you give me, if I hand you 6s. 8d. in the pound of your just debt, as a final adjustment?’ (Hear, hear.) ‘Let us allay all jealousies,’ continues the debtor—‘let us put an end to all animosities—I will give you one-third of what I owe you, if you will give me forty shillings in the pound of additional value, and a receipt in full, duly stamped, into the bargain.’ (Laughter.)

“But why do I treat this serious and melancholy subject with levity? Why do I jest, when my heart is sore and sad? Because I have not patience at this modern cant of securities, and vetoes, and arrangements, and clauses, and commissions. Securities against what? Not against the irritation and dislike which may and naturally ought to result from prolonged oppression and insult. Securities—not against the consequences of dissensions, distrusts, and animosities. Securities—not against foreign adversaries. The securities that are required from us are against the effects of conciliation and kindness—against the dangers to be apprehended from domestic union, peace, and cordiality. If they do not emancipate us—if they leave us aliens and outlaws in our native land—if they continue our degradation, and all those grievances that, at present, set our passions at war with our duty; then, they have no pretext for asking, nor do they require any securities; but, should they raise us to the rank of Irishmen—should they give us an immediate and personal interest in our native land—should they share with us the blessings of the constitution—should they add to our duty the full tide of our interests and affection; then—then, say they, securities will be necessary. Securities and guards must be adopted. State bridles must be invented, and shackles and manacles must be forged, lest, in the intoxication of new liberty, we should destroy, only because we have a greater interest to preserve.

“And do they—do these security-men deserve to be reasoned with? I readily admit—I readily proclaim Grattan’s purity—his integrity—his patriotism; but, in his eagerness to obtain for us that liberty, for which he has so long and so zealously contended, he has overlooked the absurdity which those men fall into, who demand securities against the consequences of emancipation, whilst they look for no securities against the effects of injustice and contumely.

“Grattan has also overlooked the insult to our understandings and to our moral feelings which this demand for securities inflicts. Grattan is mistaken upon this topic; but he is the only man who is merely mistaken. The cry for securities has been raised, merely to retard the progress of emancipation. Canning affects to be our friend, because, since his conduct to his colleague, Viscount Castlereagh, he has found it difficult to obtain a niche in any administration. God preserve us from the friendship of Mr. Canning! I have no apprehension of Mr. Canning’s enmity: he was our avowed enemy; that is, he always voted against us, from the moment he got pension or place under Pitt, to the time when he was dismissed from office, and rendered hopeless of regaining it. And, as to Lord Castlereagh, rely on it, that, though he may consent to change one kind of degradation for another, he never will consent to your attaining your freedom: and was it to obtain the vote of Lord Castlereagh that Grattan gave up our honour and our religion? Does Grattan forget—does he forgive the artificer of the union, or the means by which it was achieved? Does not Grattan know that Lord Castlereagh first dyed his country in blood, and then sold her.

“But, I repeat it, I have not patience, common patience with those men who cry out for securities, and will not see that they would obtain real security from the generous concession of plain right—from conciliation and kindness; all reasoning, all experience proves that justice to the Catholics ought to be, and has been, in the moments of distress and peril, the first and best security to the state. I will not stoop to argue the theory with any man. I will not condescend to enter into an abstract reasoning to prove that safety to a government ought to result from justice and kindness to the people, but I will point out the evidence of facts which demonstrate, that concession to the Irish Catholics has in itself been resorted to, and produced security to our government—that they have considered and found it to be a security in itself—a safeguard against the greatest evils and calamities, and not a cause of danger or apprehension.

"Ireland, in the connection with England, has but too constantly shared the fate of the prodigal's dog—I mean no personal allusion—(a laugh)—she has been kicked in the insolence of prosperity, and she has borne all the famine and distress of adversity. Ireland has done more—she has afforded an abundant source of safety and security to England in the midst of every adversity; and at the hour of her calamity, England has had only to turn to Ireland with the offer of friendship and cordiality, and she has been rewarded by our cordial and unremitting succour.

"Trace the history of the penal laws in their leading features, and you will see the truth of my assertion. The capitulation of Limerick was signed on the 3rd October, 1691. Our ancestors, by that treaty, stipulated for, and were promised the perfect freedom of their religion, and that no other oath should be imposed on Catholics, save the oath of allegiance. The Irish performed the entire of that treaty on their part: it remains unperformed, as it certainly is of force, in point of justice, to this hour, on the part of the English. Even in the reign of William, it was violated by that prince, whose generals and judges signed that treaty—by that prince, who himself confirmed and enrolled it.

"But he was the same prince that signed the order for the horrible, cold-blooded assassination and massacre of the unfortunate MacDonalds, of Glencoe; and if his violation of the Limerick treaty was confined to some of the articles, it was only because the alteration in the succession, and the extreme pressure of foreign affairs, did not render it prudent nor convenient to offer further injury and injustice to the Irish Catholics.

"But the case was altered in the next reign. The power and the glory, which England acquired by her achievements, under Marlborough—the internal strength, arising from the possession of liberty, enabled her to treat Ireland at her caprice, and she accordingly poured the full vial of her hatred upon the unfortunate Catholics of Ireland. England was strong and proud, and, therefore, unjust. The treaty of Limerick was trampled under foot—justice, and humanity, and conscience were trodden to the earth, and a code of laws inflicted on the Irish Catholics, which, Montesquieu has well said, ought to have been written in blood, and of which you still feel the emaciating cruelty—a code of laws which still leaves you aliens in the land of your ancestors. Aliens!—did I say? Alas! you have not the privileges of alienage; for the alien can insist upon having six of his

jury of his own nation, whilst you may have twelve Orangemen on yours. (Hear, hear.)

“ But to return to our own history. The reigns of the First and of the Second George passed away ; England continued strong ; she persevered in oppression and injustice ; she was powerful and respected ; she, therefore, disregarded the sufferings of the Irish, and increased their chains. The Catholics once had the presumption to draw up a petition ; it was presented to Primate Boulter, then governing Ireland. He not only rejected it with scorn and without a reply, but treated the insolence of daring to complain as a crime and punished it as an offence, by recommending and procuring still more severe laws against the papists, and the more active execution of the former statutes.

“ But a new era advanced ; the war which George the Second waged on account of Hanover and America, exhausted the resources, and lessened, while it displayed, the strength of England. In the mean time the Duke of Bedford was Lord Lieutenant of Ireland. The ascendancy mob of Dublin, headed by a Lucas, insulted the Lord Lieutenant with impunity, and threatened the parliament. All was riot and confusion within, whilst France had prepared an army and a fleet for the invasion of Ireland. Serious danger menaced England. The very connection between the countries was in danger. The Catholics were, for the first time, thought of with favour. They were encouraged to address the Lord Lieutenant, and, for the first time, their address received the courtesy of a reply. By this slight civility (the more welcome for its novelty) the warm hearts and ready hands of the Irish Catholics were purchased. The foreign foe was deterred from attempting to invade a country where he could no longer have found a friend ; the domestic insurgents were awed into silence ; the Catholics and the government, simply by their combination, saved the state from its perils ; and thus did the Catholics, in a period of danger, and upon the very first application, and in return for no more than kind words, give, what we want to give, security to the empire.

“ From the year 1759, to the American war, England enjoyed strength and peace ; the Catholics were forgotten, or recollected only for the purposes of oppression. England, in her strength and her insolence, oppressed America ; she persevered in an obstinate and absurd course of vexation, until America revolted, flew to arms, conquered, and established her independence and her liberty.

" This brings us to the second stage of modern Catholic history ; for England, having been worsted in more than one battle in America, and having gained victories more fatal than many defeats, America, aided by France, having proclaimed independence, the English period for liberality and justice arrived, for she was in distress and difficulty. Distracted at home—baffled and despised abroad, she was compelled to look to Irish resources, and to seek for security in Ireland ; accordingly, in the year 1778, our Emancipation commenced ; the Catholics were hired into the active service of the state by an easy gratuity of a small share of their rights as human beings, and they in return gave, what we now desire to give, security to the empire.

" The pressure of foreign evils, however, returned ; Spain and Holland joined with France and America ; success in her contest with the Colonies became daily more hopeless. The combined fleets swept the ocean ; the English channel saw their superiority ; the English fleet abandoned, for a while, the dominion of the sea ; the national debt terrified and impoverished the country ; distress and difficulty pressed on every side, and, accordingly, we arrived at the second stage of Catholic Emancipation : for, in 1782, at such a period as I have described, a second statute was passed, enlarging the privileges of the Catholics, and producing, in their gratitude and zeal, that security which we now tender to the sinking vessel of the state.

" From 1782 to 1792, was a period of tranquillity ; the expenses of the government were diminished, and her commerce greatly increased. The loss of America, instead of being an evil, became an advantage to trade as well as to liberty. England again flourished, and again forgot us.

" In 1792, the Catholics urged their claims, as they had more than once done before. But the era was inauspicious to them, for England was in prosperity. On the Continent, the confederation of German princes and the assemblage of the French princes, with their royalist followers, the treaty of Pilnitz, and the army of the King of Prussia, gave hope of crushing and extinguishing France and her liberties for ever. At that moment the Catholic petition was brought before parliament ; it was not even suffered, according to the course of ordinary courtesy, to lie on the table ; it was rejected with indignation and with contempt. The head of the La Touche family, which has since produced so many first-rate Irishmen, then retained that Huguenot hatred for Catholics which

is still cherished by Saurin, the Attorney General for Ireland. La Touche proposed that the petition should be rejected, and it was rejected by a majority of 200 to only 13.

“Fortune, however, changed. The invasion of the Prussians was unsuccessful; the French people worshipping the name, as if it were the reality of liberty, chased the Duke of Brunswick from their soil; the King of Prussia, in the Luttrell style, sold the pass; the German princes were confounded, and the French princes scattered; Dumourier gained the battle of Jemappes, and conquered the Austrian Netherlands; the old governments of Europe were struck with consternation and dismay, and we arrived at the fourth, and hitherto the last stage of Emancipation; for, after those events, in 1793, was passed that act which gave us many valuable political rights—many important privileges.

“The parliament—the same men who, in 1792, would not suffer our petition to lie on the table—the men who, in 1792, treated us with contempt, in the short space of a few months, granted us the elective franchise. In 1792, we were despised and rejected; in 1793, we were flattered and favoured. The reason was obvious; in the year 1792, England was safe; in 1793, she wanted security, and security she found in the emancipation of the Catholics, partial though it was and limited. The spirit of republican phrensy was abroad; the enthusiasm for liberty, even to madness, pervaded the public mind. The Presbyterians and Dissenters of the North of Ireland were strongly infected with that mania; and had not England wisely and prudently bought all the Catholic nobility and gentry, and the far greater part of the Catholic people out of the market of republicanism, that which fortunately was but a rebellion, would, most assuredly, have been revolution. The Presbyterians and Catholics would have united, and, after wading through the bloody delirium of a sanguinary revolution, we should now, in all likelihood, have some military adventurer seated on the throne of our legitimate sovereign.

“But, I repeat it, England judged better; she was just and kind, and therefore has she been preserved. She sought for security where alone it could be found, and she obtained it.

“Thus, in 1759, England wanted security against the turbulence of her ascendancy faction in Ireland, and against the fleet and arms of France; she was civil and courteous to the Catholics, and the requisite security was the result.

“ Thus, in 1778, England wanted security against the effects of her own misconduct and misfortunes in America ; she granted some rights of property to the Irish Catholics, and the wanted security followed.

“ Thus, in 1782, England wanted security against the prodigality and profligacy of her administration—against the combined navies of France, Spain, and Holland ; she conceded some further advantages to the Catholics, and she became safe and secure.

“ Thus, in 1795, England wanted security against the probable consequences of the disasters and treachery of the Prussians—the defeat of the Austrians, and especially against the revolutionary epidemic distemper which threatened the vitals of the constitution ; she conferred on the Catholics some portion of political freedom, and the Catholics have recompensed her, by affording her subsequent security.

“ And thus has emancipation been in all its stages the effect of the wants of England, but, at the same time, her resource in those wants. In her weakness and decay, Emancipation has given her health and strength ; it was always hitherto a remedy, and not in itself a disease ; it was, in short, her best protection and security. Away, then, with those idle, those absurd demands for control and dominion over our mode of faith.

“ Let Grattan learn the sentiments of the Irish people ; let him know that we are ready to give the security of our properties and our lives to the state ; but, we will not, we cannot, grant away any part of our religion. Before the union no vetoes, no arrangements, no inquisitions over our prelates were required. If our Protestant fellow-countrymen did not ask them, why should the English suppose we can grant them to their stupid caprice ? But we are ready to give them security ; we are ready to secure them from foreign foes, and against the possibility of domestic dissension.

Yes, the hour of your emancipation is at hand ; you will, you must be emancipated ; not by the operation of any force or violence, which are unnecessary, and would be illegal on your part, but by the repetition of your constitutional demands by petition, and still more by the pressure of circumstances, and the great progress of events. Yes, your emancipation is certain, because England wants the assistance of all her people. The dream of delivering the Continent from the dominion of Bonaparte has vanished. The idle romance of German liberty—who ever heard of German liberty ! is now a cheerless vision. The allied Russian and Prussian armies

may, perhaps, escape, but they have little prospect of victory. The Americans have avenged our outrages on their seamen, by quenching the meteor blaze of the British naval flag. The war with the world—England, alone, against the world, is in progress. We shall owe to her good sense, what ought to be conceded by her generosity; she cannot proceed without our aid; she knows she can command that aid if she will but be just; she can, for liberty, to which we are of right entitled, command the affections and the energies of the bravest and the finest people in the world!

“Recollect, too, that the financial distress of England accumulates. She owes, including the Irish debt, near a million of millions. Who is there so extravagant as to suppose, but that there must arrive a period at which it will become impossible to borrow money, or to pay more interest? Our Irish debt has already exceeded, by nearly two-thirds, our means. We spend sixteen millions annually, and we collect, in revenue, about five millions. Our bank puts a paltry impression on three pennyworth of silver, and calls it tenpence. In short, with taxes increasing, debts accumulating, revenue diminishing, trade expiring, paper currency depreciating—who is so very blind as not to perceive, that England does, and must require, the consolidation of all her people in one common cause, and in one common interest?

“The plain path to safety—to security—lies before her. Let Irishmen be restored to their inherent rights, and she may laugh to scorn the shock of every tempest; the arrangements which the abolition of the national debt may require will then be effectuated, without convulsion or disturbance; and no foreign foe will dare to pollute the land of freemen and of brothers. (Hear, hear.)

“They have, however, struck out another resource in England: they have resolved, it is said, to resort to the protection of *Orange Lodges*. That system which has been declared by judges from the bench to be illegal and criminal, and found by the experience of the people to be bigoted and bloody—the Orange system, which has marked its progress in blood, in murder, and in massacre—the Orange system, which has desolated Ireland, and would have converted her into a solitude, but for the interposing hand of Cornwallis—the Orange system, with all its sanguinary horrors, is, they say, to be adopted in England!

“Its prominent patrons, we are told, is Lord Kenyon or Lord Yarmouth; the first an insane religionist of the Welsh Jumper sect,

who, bounding in the air, imagines he can lay hold of a limb of the Deity, like Macbeth, snatching at the air-drawn dagger of his fancy ! He would be simply ridiculous, but for the mischievous malignity of his holy piety, which desires to convert papists from their errors, through the instrumentality of daggers of steel. Lord Kenyon may enjoy his ample sinecures as he pleases, but his folly should not goad to madness the people of Ireland.

“ As to Lord Yarmouth, I need not, indeed I could not, describe him ; and if I could, I would not disgust myself with the description ; but if Lord Kenyon or Lord Yarmouth have organized the Orange system, I boldly proclaim that he must have been bribed by the common enemy. Bigotry is not a gratuitous propensity. Giffard gets money for his calumnies and impudence ; so does Duigenan. The English Orange patrons must be bribed by France ; let them appeal to their private lives to repel my accusation. Can that man repel it, whose life is devoted to the accumulation of wealth to be added to wealth, already excessive and enormous ?—who never was suspected of principle or honour ?—whose finest feelings were always at market for money ?—who was ready to wed disgrace with a rich dowry, and would have espoused infamy with a large portion ? If such a wretch lives, let him become the leader of the Orange banditti. The patron is worthy of the institution—the institution is suited to the patron !

“ You know full well that I do not exaggerate the horrors which the Orange system has produced, and must produce, if revived from authority, in this country. I have, in some of the hireling prints of London, read, under the guise of opposing the adoption of the Orange system, the most unfounded praises of the conduct of the Irish Orangemen. They were called loyal, and worthy, and constitutional. Let me hold them up in their true light. The first authentic fact in their history occurs in 1795. It is to be found in the address of Lord Gosford, to a meeting of the magistrates of the county of Armagh, convened by his lordship, as governor of that county, on the 28th of December, 1795. Allow me to read the following passage from that address :—

“ ‘ Gentlemen—Having requested your attendance here this day, it becomes my duty to state the grounds upon which I thought it advisable to propose this meeting ; and at the same time to submit to your consideration a plan which occurs to me as most likely to check the enormities that have already brought disgrace upon this country, and may soon reduce it into deep distress.

“It is no secret that a persecution, accompanied with all the circumstances of ferocious cruelty, which have in all ages distinguished that dreadful calamity, is now raging in this country. Neither age nor sex, nor even acknowledged innocence, as to any guilt in the late disturbances, is sufficient to excite mercy, much less to afford protection.

“The only crime which the wretched objects of this ruthless persecution are charged with, is a crime, indeed, of easy proof; it is simply a profession of the Roman Catholic faith, or an intimate connection with a person professing this faith. A lawless banditti have constituted themselves judges of this new species of delinquency, and the sentence they have denounced is equally concise and terrible. It is nothing less than a confiscation of all property, and an immediate banishment. It would be extremely painful, and surely unnecessary, to detail the horrors that are attendant on the execution of so rude and tremendous a proscription—one that certainly exceeds in the comparative number of those it consigns to ruin and misery, every example that ancient and modern history can supply; for where have we heard, or in what story of human cruelties have we read, of half the inhabitants of a populous country deprived, at one blow, of the means as well as the fruits of their industry, and driven, in the midst of an inclement season, to seek a shelter for themselves, and their helpless families, where chance may guide them?

“This is no exaggerated picture of the horrid scenes that are now acting in this country.’

“Here is the first fact in the history of the Orangemen. They commenced their course by a persecution with every circumstance of ferocious cruelty. This lawless banditti, as Lord Gosford called them, showed no mercy to age, nor sex, nor acknowledged innocence. And this is not the testimony of a man favourable to the rights of those persecuted Catholics; he avows his intolerance in the very address of which I have read you a part; and though shocked at these Orange enormities, he still exults in his hostility to emancipation.

“After this damning fact from the early history of the Orangemen, who can think with patience on the revival or extension of this murderous association? It is not, it ought not, it cannot be endured, that such an association should be restored to its power of mischief by abandoned and unprincipled courtiers. But I have got in my possession a document which demonstrates the vulgar and lowly origin, as well as the traitorous and profligate purpose of this Orange society. It has been repeatedly sworn to in judicial proceedings, that the original oath of an Orangeman was an oath to exterminate the Catholics. In some years after the society was formed, men of a higher class of society became members of it, and, being too well

educated to endure the plain declaration to exterminate, they changed the form of the oath to its present shape, but carefully retained all the persecuting spirit of the Armagh exterminators. The document I allude to, was printed for the use of the Orange lodges; it was never intended for any eye but that of the initiated, and I owe it to something better than chance that I got a copy of it; it was printed by William M'Kenzie, printer to the Grand Orange Lodge, in 1810, and is entitled 'Rules and Regulations for the use of all Orange Societies, revised and corrected by a Committee of the Grand Orange Lodge of Ireland, and adopted by the Grand Orange Lodge, January 10th, 1810.' I can demonstrate from this document that the Orange is a vulgar, a profligate, and a treasonable association. To prove it treasonable, I read the following, which is given as the first of their secret articles:—'That we will bear true allegiance to his Majesty, his heirs and successors, so long as he or they support the Protestant ascendancy.' (Hear, hear.) The meaning is obvious, the Orangeman will be loyal just so long as he pleases. The traitor puts a limit to his allegiance, suited to what he shall fancy to be meant by the words 'Protestant Ascendancy.' If the legislature presumes to alter the law for the Irish Catholics as it did for the Hanoverian Catholics, then is the Orangeman clearly discharged from his allegiance, and allowed, at the first convenient opportunity, to raise a civil war; and this is what is called a loyal association. (Hear, hear.) Oh! how different from the unconditional, the ample, the conscientious oath of allegiance of the Irish Catholic. I pass over the second secret article, as it contains nothing worthy of observation; but from the third I shall at once demonstrate what pitiful and vulgar dogs the original Orangemen were. Mark the third secret article, I pray you—'That we will not see a brother offended for sixpence or one shilling, (A laugh,) or more if convenient, (A laugh,) which must be returned next meeting if possible.' (Much laughter.) Such is the third of the secret Orange articles. I presume even Lord Yarmouth will go with them the full length of their liberality of sixpence or one shilling, but further his convenience may prevent him. The fourth secret article is quite characteristic—'That we must not give the first assault to any person whatsoever, *THAT may bring a brother into trouble.*' (Laughter.) You perceive the limitation. They are entitled to give the first assault in all cases, but that in which it may not be quite prudent; they are restricted from commencing their career of aggression, unless they are, I presume, ten

to one—unless they are armed and the Catholics disarmed—unless their superiority in numbers and preparation is marked and manifest. See the natural alliance of cowardice with cruelty. They are ready to assault you, when no brother of theirs can be injured ; but if there be danger of injury to one of their brotherhood, they are bound to restrain, for that time, their hatred of the Catholics, and to allow them to pass unattacked. This fourth article proves, better than a volume, the aggressive spirit of the institution, and accounts for many a riot, and many a recent murder. (Hear, hear.) The fifth secret article exhibits the rule of Orangemen, with respect to robbery. ‘5th. We are not to carry away money, goods, or anything, from any person whatever, except *arms and ammunition*, and those only from an enemy.’ The rule allows them to commit felony to this extent—namely, the arms and ammunition of any Catholic, or enemy ; and I have heard of a Catholic who was disarmed of some excellent silver spoons, and a silver cup, by a detachment of this banditti. Yes, Lord Gosford was right, when he called them a lawless banditti ; for here is such a regulation as could be framed only for those whose object was plunder—whose means were murder. The sixth and seventh secret articles relate to the attendance and enrolling of members ; but the eighth is of great importance—it is this : ‘8th secret article.—An Orangeman is to keep a brother’s secrets as his own, unless in case of murder, treason, and perjury, and that of his own free will.’ See what an abundant crop of crimes the Orangeman is bound to conceal for his brother Orangeman. Killing a papist may, in his eyes, be no murder, and he might be bound to conceal that ; but he is certainly bound to conceal all cases of riot, maiming, wounding, stabbing, theft, robbing, rape, house-breaking, house-burning, and every other human villainy, save murder, treason, and perjury. These are the good, the faithful, the loyal subjects. They may, without provocation or excuse, attack and assault—give the first assault, mind, when they are certain no brother can be brought to trouble. They may feloniously and burglariously break into dwellings, and steal, take, and carry away whatever they will please to call arms and ammunition. And, if the loyalty of a brother tempts him to go a little further, and to plunder any other articles, or to burn the house, or to violate female honour, his brother spectators of his crime are bound by their oaths to screen it for ever from detection and justice. (Hear, hear.) I know some men of better minds have been, in their horror of revolutionary

fury, seduced into these lodges, or have unthinkingly become members of them; but the spirit, the object, and the consequences of this murderous and plundering association, are not the less manifest.

“I do not calumniate them; for I prove the history of their foundation and origin by the unimpeachable testimony of Viscount Gosford, and I prove their principles by their own secret articles, the genuineness of which no Orangeman can or will deny. If it were denied, I have the means of proving it beyond a doubt. And when such principles are avowed, when so much is acknowledged and printed, oh, it requires but little knowledge of human nature to ascertain the enormities which must appear in the practice of those who have confessed so much of the criminal nature of their principles. There is, however, one consolation. It is to be found in their ninth secret article—‘No Roman Catholic can be admitted on any account.’ I thank them for it, I rejoice at it; no Roman Catholic deserves to be admitted; no Roman Catholic would desire to belong to a society permitting aggression and violence, when safe and prudent, permitting robbery to a certain extent, and authorizing treason upon a given contingency. (Hear, hear.) And now let me ask, what safety, what security can the minions of the court promise to themselves from the encouragement of this association? They do want security, and from the Catholics they can readily have it; and you, my friends, may want security, not from the open attacks of the Orangemen—for against those the law and your own courage will protect you; but of their secret machinations you ought to be warned. They will endeavour, nay, I am most credibly assured, that at this moment their secret emissaries are endeavouring to seduce you into acts of sedition and treason, that they may betray and destroy you. Recollect what happened little more than twelve months ago, when the board detected and exposed a similar delusion in Dublin. Recollect the unpunished conspiracy which was discovered at Limerick; unpunished and unprosecuted was the author. Recollect the Mayor’s Constable of Kilkenny, and he is still in office, though he administered an oath of secrecy, and gave money to his spy to treat the country people to liquor and seduce them to treason. I do most earnestly conjure you to be on your guard, no matter in what shape any man may approach who suggests disloyalty to you—no matter of what religion he may affect to be—no matter what compassion he may

express for your sufferings, what promises he may make; believe me, that any man who may attempt to seduce you into any secret association or combination whatsoever, that suggests to you any violation of the law whatsoever, that dares to utter in your presence the language of sedition or of treason, depend upon it—take my word for it, and I am your sincere friend—that every such man is the hired emissary and the spy of your Orange enemies—that his real object is to betray you, to murder you under the forms of a judicial trial, and to ruin your country for your guilt. If, on the contrary, you continue at this trying moment peaceful, obedient and loyal; if you avoid every secret association, and every incitement to turbulence; if you persevere in your obedience to the laws, and in fidelity to the Crown and Constitution, your Emancipation is certain, and not distant, and your country will be restored to you; your natural friends and protectors will seek the redress of your grievances in and from parliament, and Ireland will be again free and happy. If you suffer yourself to be seduced by these Orange betrayers, the members of the board will not be bound to resist your crimes with their lives; you will bring disgrace and ruin on our cause; you will destroy yourself and your families, and perpetuate the degradation and disgrace of your native land. But my fears are vain. I know your good sense; I rely on your fidelity; you will continue to baffle your enemies; you will continue faithful and peaceable; and thus shall you preserve yourselves, promote your cause, and give security to the empire.”

This speech was received throughout, and greeted at its conclusion, with warm and general applause.

Mr. O’Connell again rose shortly after, and said that there was a matter of very pressing importance, respecting which he had to move a resolution. His motion would have reference to the important business of the subscriptions. He said—

“That it had now become extremely necessary to call upon the people for procuring aid to counteract the effects of Orange persecution, and to meet the indispensable expenses attendant on the prosecution of the Petitions.

“A resolution like the present had been passed on a former occasion; but means had not been taken to render it extensively useful. The

board found themselves, in the month of October last, indebted in a sum of not less than £3,000. He was at that time called to the management of its financial concerns, and was happy to say, that the debt he mentioned had been paid off, and a surplus remained at the present in bank.

“It was the object of the board to create a fund, by carrying into effect which should be sufficient to provide for the attainment of justice for the Catholic, and which should be equal to the legal protection of every Catholic peasant in the land from Orange atrocities. That such a provision had been necessary, recent events (particularly those in the county of Monaghan) clearly prove; and that neither legal protection nor even justice itself could be obtained free of expense, was a fact well known. He thought it but justice, however, to gentlemen of that profession to which he had the honour to belong, to say, that *Catholic advocates were no expense to the body*. (Loud applause.)

“That money was wanted would not be denied; and he knew the board had only to call upon the people and be supplied. The Catholics of Ireland were always found willing to grant more than was required of them; and would be particularly willing when they knew it was to protect their honest brethren in remote parts of the country from the persecutions of Orangeism.

“He would recommend a general subscription throughout every parish in Ireland; but he would wish every man to subscribe only what he would not miss: and in this way, without bearing heavy on any individual, would a fund be collected, sufficient to obtain the objects desired upon any occasion which might happen unexpectedly to call for pecuniary sacrifices.

“As he had other subjects of more exciting interest, though not surpassing that he was now alluding to in practical importance, he would not detain his auditory longer upon it at present, but content himself with moving—

“Resolved—‘That the expenses unavoidably attendant upon the conduct of Catholic petitions, and the defence of the invaded rights of petitioning, call for the liberal aid of our fellow-countrymen.

“‘And that we confide in the public spirit and zeal of the Catholic body throughout Ireland for ample pecuniary support.’

“This resolution was carried with the greatest unanimity.

“DOCTOR MILNER.

“Mr. O’Connell rose to propose the resolution of which he had given notice, respecting Dr. Milner.

“He said there certainly had been some difference of opinion with regard to it at the meeting of the board; but that, from what he had had the pleasure of observing of the feelings which pervaded the present highly-respectable and imposing meeting, he did not, and he could not, for one moment entertain the idea that any such difference would be found to exist here. There had been in the board no division on its merits—it was a mere division upon form.

“That venerable prelate had been expelled by the paltry club calling itself ‘the Catholic Board of England!’ And the club had perpetrated this upon the very same day upon which they thanked the master of the Flogging and Torturing Club in Dublin—my Lord Castlereagh!

“This, indeed, was not an inconsistency which surprised him. Lord Castlereagh’s treacheries and cruelties towards the Irish people would never make him less beloved by the English, and that the accident of an Englishman’s being a Catholic would have any the slightest effect in inducing him to care more for Ireland, was a proposition which every day’s experience demonstrated to be utterly false and absurd.

“Indeed, what better illustration could, by possibility, be given of this, than was supplied by the fact, that this venerable agent of the Catholic hierarchy of Ireland was made the sport of the vilest caprice and the most spiteful ill-nature by these English Catholics, as they called themselves—for what crime or offence think you? Simply for proclaiming that to be schism which the Catholic prelates of Ireland have unanimously declared to be so!

“I cannot forget, although the English Catholics would seem to have done so, that this venerable prelate combined the classic elegance of the scholar with the profound learning of the antiquarian and the divine; that he was one of the first who treated on polemics without forgetting the dictates of politeness and the practices of civility, and bore himself through all the excitements of religious controversy with the temper and manners of a gentleman.

“The resolution was warmly supported by Mr. O’Gorman, and was passed amid great cheering.”

The *Evening Post* had the following additional remarks on the circumstances attending this vote:—

“We observed that about twelve or fourteen members of the Catholic Board, who were lately most vehement in opposing the vote of thanks to the prelates, were absent from this meeting.

“We can name Lord Trimleston, Mr. Bodkin Hussey, the two Bellews, Thomas Dillon, &c., all of whom were in town, but probably they had prudential reasons.

“Mr. Hussey was seen in the morning riding about town, at a quick pace, upon his gray pony; but his caution preserved him from the rough reception of his determined and plain-dealing fellow-countrymen.

“Indeed we saw none of the anti-prelatists—or, to use Mr. Coyle's phrase, the ORANGE CATHOLICS—at this meeting, save two or three. Of these one had not the discretion to remain a mere observer, like his comrades, but, in a silly hour, came forward to *apologize for his absent friends!*

“He was hooted with one universal hiss, and every mark of displeasure. At length, by the intervention of the chairman and Counsellor O'Gorman, he obtained a hearing; and, in a flurried and incoherent tone, endeavoured to intimate that his friends only *happened* to be absent.

“‘Happened!’ resounded through the assembly. ‘Let them stay away, and never disgrace our meetings!’

“Mr. O'Gorman and Mr. Lalor made many pointed observations upon the occurrence.

“Mr. Lalor observed, that he ‘supposed the absence of these eight or ten *fine gentlemen* was calculated for stage effect in some of the government prints, and in order to cast a disparagement upon the assembly. He hoped they would soon turn Protestants. At all events, the best apology they could offer for their absence would be found in their never presuming in future to present themselves at any meeting of their suffering fellow-Catholics.’ (Loud applause.)

“In truth, these *worthies* were not missed; and if their discreet messenger had not obtruded the idea, nobody would have thought of them.

“Their superiors were present at this meeting. We saw many Catholics far higher than these anti-prelatists in personal character;

worth, talent, experience, integrity, public opinion, ancient family, age, and in fortune too—in personal property and in landed estates.

“And we speak without the slightest particle of exaggeration when we affirm, that in all these respects the aggregate meeting of Tuesday last exceeded any other that we have ever yet witnessed in Ireland.”

So far the *Dublin Evening Post*, and according to living authority, the writer did *not* exaggerate in his description.

This meeting (we have not done with it yet, as another occurrence at it remains to be detailed) had, however, an importance of a far higher and graver nature than any which could be given by the character of the attendance at it. The first great blow was here given to the hopes of the Vetoists, and the first great repulse administered to the base and grovelling spirit of compromise and religious indifferentism.

It now was made evident to enemies and friends, that whatever tendency there might be among a portion—a degenerate portion of the Catholics of the upper classes—that the *heart* of Ireland was sound alike in politics and religion.

The struggle was not ended, indeed, as the detail of Mr. O’Connell’s efforts in the ensuing year will amply show; but the prestige of popular success was won, and the enemies of Ireland were dispirited and disheartened.

The insidious attempts of the last two years to sow dissension between the Catholics of Ireland and their prelates and clergy, are fast upraising against themselves, a storm of popular indignation similar in force and effect to that which crushed the “Veto” and “Securities” schemes in the times of which we are writing.

As we have noticed, there remained, after the resolution of gratitude to Doctor Milner had thus been triumphantly passed, yet another matter of importance to be disposed of. It was Mr. O’Connell’s motion for an address from the Roman Catholics of Ireland, to the unfortunate and much-persecuted Princess of Wales—the unhappy, and, if erring, grievously punished wife of the Regent.

Of that man's infamous history one of the blackest pages is the record of his cold-hearted, unmanly, cruel, and tyrannous conduct towards her; and one of the most disgraceful circumstances in the history of the English aristocracy, is the support and sanction they gave him in his brutality. .

Mr. O'Connell, at this as at a later period of the persecution unto death which this unhappy woman underwent, took an active part amongst her defenders.

On this occasion the following was the tenor of his speech :—

“He declared he had never, in the whole course of his life, proceeded to address a Catholic, or any other public assembly, with a deeper or more firm conviction in his mind—that he was about to propose a measure eminently and powerfully recommended by the best dictates of the judgment, and the noblest feelings of the heart !

“It was a resolution which, he was convinced, would do credit to their feelings, not only as Catholics and as Irishmen, but as Christians and as men. It would procure for them the esteem of the friends of virtue, and obtain a triumph over the enemies of goodness.

“I am (continued he), I confess, most deeply anxious for the success of my present motion, as I should be grieved, indeed, to have any reason to think so poorly of my countrymen, as to believe that they could, by any possibility, be capable of rejecting it.

“I think I can satisfy you by the clearest and most convincing arguments of the propriety of adopting it. The proposal is for an address to her Royal Highness the Princess of Wales. (Loud cheering followed—the entire meeting, as if by an electrical impulse, rose—the ladies waved their handkerchiefs, the men waved their hats, and three distinct shouts of applause ensued. We have never witnessed such enthusiasm.)

“Oh, no, (said Mr. O'Connell,) I will not argue the point at all ; I will not enter into any reasoning on the subject : indeed, I will not. I leave it to your hearts—to your Irish hearts—to regulate your conduct. (Loud applause.)

“It was, my countrymen, a foul conspiracy ; subornation of perjury, the meanest and most abominable of crimes, and perjury itself, at all times foul and unnatural, but in this, most foul, and most unnatural. These atrocities were levelled against a stranger, friendless

and alone, in a land of strangers—against a female, at a distance from her parents, and deprived of her natural protector. Good God! where is the thing, in human shape, that can read of these horrors and not join in the shout of execration!—that can behold the triumph of the innocence of this illustrious lady, and not offer the feeble tribute of applause!

“Yet, there have been such beings—there are such monsters! The Giffards of the Dublin Corporation—and there are many Giffards, differing in degree, but combining in principle—the Giffards of the Corporation have refused to say that perjury is a crime—that persecuted virtue deserves countenance and support. They have refused to say so, because they do not think perjury a crime, when employed against an enemy; they do not deem virtue an object of any admiration; money is their God—to that they are devoted.

“I said I would not enter into any detail or reasoning upon this subject, and I will keep my promise; but allow me to remark upon one circumstance, in the case of this illustrious lady. She becomes a widowed wife soon after her marriage, but by whose default? I do not stop to accuse any person; but this I must say, that even her envenomed and unprincipled enemies have not dared to attribute to her any blame for the separation from her husband. She has never been accused of any fault to cause or justify that separation, and she stands, perhaps, the solitary instance in domestic, or, indeed, in any other quarrel, where one party was confessedly and altogether innocent.

“This, I own, has made a strong impression on my mind, and I cannot help thinking that there must have been great purity, and great delicacy in the conduct of the lady, who upon such an occasion as this, escaped with her honour, not only untouched by any wound, but unsullied by any stain, even in the imagination of calumny itself. For the credit of her sex—for the dignity of human nature, I rejoice that she so escaped, and the less wonder at the subsequent triumph which the miraculous force of her innocence afforded her, against the vilest and most artful conspiracy that was ever formed against life and honour.

“I cannot avoid also taking notice of the absurd pretext which has been lately set up, to cover the real delinquents in this atrocious conspiracy against her Royal Highness. It is said she owes it all to her indiscreet friendship for Lady Douglas; but see how the fact contradicts that assertion; for, in 1804, the year before Lady Douglas

gave in her statement, we have seen that the apothecaries were examined, and that Lord Moira—why—oh why, is poor Ireland doomed to blush at that name, too—we have seen Lord Moira condescend to shrug and wink at the animated honesty of Esmeade: that scene took place before this miserable Lady Douglas became an actor in the conspiracy; she therefore cannot be considered as the prime mover of the conspiracy: you must go further back to reach at the real author.

“Permit me also to remark upon one other circumstance, in the case of this injured and innocent lady. By the testimony of her servants, it now appears that they were placed about her in the double capacity of attendants and of spies. For years she was surrounded with persons employed and anxious to discover in her some fault or some crime. She was quite unconscious of being surrounded by those spies; but she was perfectly safe under the protection of her innocence. She has not been acquitted for the want of evidence. If crime existed, the witnesses stood ready to note it down; nay, so anxious were they to supply evidence against her, that we find them torturing trivial, unimportant circumstances into evidence of guilt, and directly inventing falsehoods, to give a colour to the conspiracy. She is therefore enabled, proudly to feel, that she owes her acquittal to her innocence alone; had she been guilty, she must have been convicted.

“I close these few observations on this momentous case, by entering my solemn protest, as a lawyer, against the species of tribunal before which she was tried, and which, unable, though clearly not unwilling, to convict, dared to censure her whom they had not heard, and could not hear in her defence. A more inquisitorial or unjust proceeding never disgraced the dungeons of the Inquisitions. It is ‘as false as hell.’ Permit me to quote one of her judges—‘It is as false as hell to pretend that this tribunal was warranted or justified in taking cognizance of the matter at all; it was a tribunal illegal in its formation, and shamefully disgraceful in its result!’

“I repeat it, how dare they to inflict the punishment, the dreadful punishment of censure on the honour of a woman who had not been heard to explain or to defend? (Hear, hear.)

“There is, however, another view of this subject which presses strongly on my mind. The Orange lodges are about to be established in England. By this, more may be meant than meets the hearing. We have heard that some Orange lodges in this country had taken

an oath of fidelity to the Duke of York. It is about four years since three soldiers were brought up from Belfast, charged, as the newspapers informed us, with swearing in Orangemen to join the Duke of York against the Prince of Wales. These men were not punished—they were, probably, privately reprimanded for their indiscretion. I know not, nor do I care if they have been subsequently promoted or rewarded. But it presses very strongly upon my mind, that we are not the sole objects of the English Orange lodges. The Regent is far from being of an active or penetrating disposition. He, of course, would never consent to the disinheriting of his child. *Yet how do we know, but that in the secrecy of the Orange association, some plan may be devised and matured to alter succession, and to prevent a female reign?*

“Perhaps it is for this that Orangeism, with its conditional allegiance, is now adopted. If it be—if there be any plan for altering the succession in agitation, there is no harm in saying that I am against the Duke, and for the Princess. (Hear, hear.) I speak not to boast, but I have enough of property to make me independent; if I had no property, I have a profession, which, in the kindness of my countrymen, would make me independent, even if I had no property. I easily yield to the delicacy which forbids me to speak of matters of a domestic nature, but I may be permitted to say, that I have those domestic charities about me, which make the cup of life sweet. Oh, sweet, indeed! But I am ready to sacrifice property, and profession, and existence, in the cause of the legitimate successor to the throne; and if they shall attempt to alter the succession, I will fight against the traitors, and for the young Princess, at your head, or by your side. (Loud cheers.)

“Let not these traitors be enabled hereafter to revive these calumnies against her mother; let them, at least, be met in any such attempts, by the verdict of acquittal pronounced by Catholic Ireland, and recorded in this your address. The fashion of cutting the throats of wives is gone by. Henry the Eighth, the English apostle of the Reformation, had a speedy method of getting rid of a disagreeable wife. He it was that first discovered the errors of the Church of Rome in the fair face of a young lady. In the present day, it is said, that the crimes of the Catholics have been detected in the bloated visage of an ancient matron. This taste of Henry was more correct, but not more laudable. The attempt to destroy female honour, wherever it originated, is, however, as foul, nay, perhaps, more

foul, than to take away the female life. The Irish were disgusted by the first experiment; they cannot refrain from horror at the second; nor can any paltry consideration of personal interest restrain them from expressing that abhorrence.

“ Our first interest is to be honest, just, and manly. Our first duty is to discountenance and condemn the perjurers and their employers. Our proudest and best feelings are to exalt and praise persecuted innocence. (Loud burst of applause.) We cannot command success for ourselves; we cannot coax the Prince Regent, nor bribe the parliament; but it is in our power to deserve to be successful; to show that we are men—that we are Irishmen, to whom nothing is alien which partakes of justice, dignity, and generosity. (Cheers.)

“ Yes, let this address injure our cause, yet I would recommend it to your adoption upon that account; because, thus you would have some sacrifice to offer upon the altar of justice and of persecuted innocence. (Loud and repeated applause.)

“ I do, therefore, move that the following address be adopted :—

“ ‘ The Address of the Roman Catholics of Ireland, to her Royal Highness the Princess of Wales, on her escape from the Conspiracy.

“ ‘ MAY IT PLEASE YOUR ROYAL HIGHNESS.

“ ‘ We, the Roman Catholic people of Ireland, beg leave to offer our unfeigned congratulations on your providential escape from the conspiracy, which so lately endangered both your life and honour—a conspiracy, unmanly in its motives, unnatural in its objects, and unworthy in its means—a conspiracy, combining so monstrous an union of turpitude and treason, that it is difficult to say, whether royalty would have suffered more from its success, than human nature has from its conception.

“ ‘ Our allegiance is not less shocked at the infernal spirit which would sully the diadem, by breathing on its most precious ornament the virtue of its wearer, than our best feelings are wounded at the inhospitable baseness which would betray the innocence of a female in a land of strangers!!

“ ‘ Deem it not disrespectful, illustrious lady, that, from a people proverbially ardent in the cause of the defenceless, the shout of virtuous congratulation should receive a feeble echo. Our harp has been long unused to tones of gladness, and our hills but faintly answer the unusual accent. Your heart, however, can appreciate the silence inflicted by SUFFERING; and ours, alas! feel, but too acutely, that the commiseration is sincere which flows from SYMPATHY.

“ ‘ Let us hope that, when congratulating virtue in your royal person, on her signal triumph over the perjured, the profligate, and the corrupt, we may also

rejoice in the completion of its consequences. Let us hope, that the society of your *only child* again solaces your dignified retirement; and that, to the misfortune of being a widowed wife, is not added the pang of being a childless mother.

“ ‘But if, madam, our hopes are not fulfilled—if, indeed, the cry of an indignant and unanimous people is disregarded, console yourself with the reflection that, though your EXILED DAUGHTER may not *hear* the precepts of VIRTUE from your lips, she may, at least, study the practice of it in your example.’ (Cheers)”

The following résolutions were then passed unanimously :—

“ Resolved—‘ That the address to her Royal Highness the Princess of Wales, now read, be adopted, and that the individuals composing the general board of the Catholics of Ireland, be requested to procure signatures thereto.

“ Resolved—‘ That the Catholic delegates, now in London, be requested to present the said address, in the most respectful manner, to her Royal Highness the Princess of Wales.’ ”

The next meeting of the Catholic board was held on the 19th of June, in Stationers’ Hall.

Nicholas Purcell O’Gorman, Esq., in the Chair.

“ Mr. Finn stated that the secretary, Mr. Hay (who arrived from England and was in his place at the board), requested him to act as he had been in the custom of doing, for this day, Mr. Hay not having had time to make himself acquainted with the business of the day.

“ PETITION TO PARLIAMENT.

“ Mr. Finn then proceeded to read some letters, the most material of which were the following :—

“ A letter from Earl Donoughmore to Sir Thomas Esmonde, in answer to one which the Baronet had written, as chairman of the meeting, at which the resolution, requesting his Lordship to present the Catholic petition immediately to the House of Lords, had passed, and enclosing that resolution. His Lordship’s letter stated, that, previous to the receipt of Sir Thomas’s, he had written to Lord Fingal, apprising him of the unanimous decision which the parliamentary friends of the Catholics had come to, not to bring the question before parliament at present, for many reasons which were fully detailed in the communication to his Lordship, and concluded by saying, that he was certain

it would only be necessary for him, in answer to their resolution, to direct the attention of the board to that letter.

“ THE REGENT'S PLEDGE.

“ The next was a letter from the Earl of Fingal, respecting the Regent's pledge. His Lordship stated that he had never had an audience or interview with his Royal Highness in the presence of Lord Clifden and Lord Petre, as had been supposed. That he thought conversations between individuals of whatever relative rank, or even the written report of such conversations, could not form just grounds for the proceedings of any public body. That if he was to credit the report of the proceedings of the board, which had been published in the newspapers, and the speeches attributed by those papers, to certain respectable individuals, an extraordinary misconception had taken place—that he had not the pledge which was supposed, &c.

“ The next was from Lord Clifden, enclosed in the preceding, and addressed to Lord Fingal. Lord Clifden said that there must be some mistake in the business; that he never had the honour of an audience with the Prince in the presence of Lord Fingal, or the late Lord Petre, as seemed to be supposed, and that with respect to the written pledge he had never seen it.

“ The next letter was from Sir Francis Goold, and stated that he found his name had been mentioned in the debate at the Catholic board, respecting the supposed pledge of the Regent; that he had not the most remote recollection of the circumstances of this supposed pledge; that from his not having the least trace of it on his memory, he did not think it could even have taken place, but that he (Sir Francis) ever had a strong impression upon his mind that his Royal Highness the Prince Regent had always expressed himself in very favourable terms towards the Catholics of Ireland.

“ Major Bryan, conceiving that the letters which had been just read involved a contradiction of what he had stated on a former day respecting this pledge, felt himself called upon to say a few words. He declared upon his honour, that about five years ago he was called into Mr. Fitzpatrick's inner shop, where Lord Fingal stated, in the presence of Sir Francis Goold and Mr. O'Connell, that after the rejection by parliament of a Catholic petition, he had seen the Prince Regent in the presence of Lord Clifden and the late Lord Petre, when his Royal

Highness had expressed himself in favour of the Catholics, in terms so extremely strong, that his Lordship had thought proper to commit them to paper, and that after he had done so, he waited upon Lord Clifden and upon Lord Petre to inquire whether the minute he had made was correct, and that they had both declared it was. Major Bryan did not pledge himself as to the *words* of the conversation, but with regard to the *substance* he was positive. He was not certain either that Lord Fingal had used the word *audience*, nor was he courtier enough to know the distinction between audience and interview or conversation.

“ Mr. O’Connell gave the same solemn pledge which Major Bryan had done, respecting what passed in Mr. Fitzpatrick’s shop. He also avowed the accuracy of the report of his speech which had appeared. He was glad to perceive that Lord Fingal’s letter, when attentively perused, did not contradict what he had said. His Lordship says, there was no audience ; but he goes on to say, that conversations, or the written report of conversations, &c., cannot form a just ground for the proceedings of a public body. If there had not been a conversation and a written report of it, Mr. O’Connell thought this paragraph would not have been introduced. He professed much respect for Lord Fingal, but declared, that he should take an opportunity of requesting a distinct answer from his Lordship, whether there is, or ever was, any written report of the sentiments expressed by the Prince to his Lordship.

“ COUNTY OF MONAGHAN.

“ Mr. O’Connell reported from the committee appointed to consider the best mode of obtaining legal protection for the Catholics of this county against Orange persecutions. He recommended conciliatory measures to put an end to all ill-feeling, and hoped that much might be effected through the channel of some Protestant magistrates who were favourably disposed. It was necessary, however, in order to give the Catholics the efficient protection of the law, that money should be had, and he therefore moved, that it be referred to the committee of accounts to consider the propriety of contributing a sum for this purpose.

“ Mr. Carolan seconded the motion, which was unanimously carried.

"MR. FINN.

"Major Bryan, seeing their worthy secretary, Mr. Hay, in his place, concluded that the services of Mr. Finn in that department were suspended, but thought the board owed it to the zeal and attention of that gentleman, to give him their most cordial thanks. Major B. then moved a vote of thanks, which was carried unanimously.

"Mr. Finn threw himself on the indulgence of the meeting, returned thanks, and took that opportunity to speak of a paragraph which had appeared in the report of the former Saturday's proceedings, as published in a certain newspaper. He acquitted the respectable proprietor of the paper of countenancing it, and said that gentleman had declared he knew nothing of its author. He also acquitted the gentleman who reported for the paper in question. He called upon the author of this barefaced, false, and malignant attempt to assassinate his reputation, to have the manliness to come forward and avow himself if he dare, and concluded by declaring he had suspicions that it emanated from amongst themselves, and if the board did not mark their disapprobation of it, this underhand assassin might gibbet them all, one by one, as they happened to fall under his displeasure.

"Mr. Hay took that occasion to return thanks for the kind manner in which the board had undertaken his defence in his absence, and declared he felt the want of words to express his gratitude. He said that as some shameful and most unjust insinuations had been thrown out against him, he was anxious for an inquiry into his conduct, and then alluded to a letter from Lord Donoughmore to Dr. Troy, which has been recently published, and thought its appearance at this late period was uncalled for. It did not contradict what he had stated, as he never said Lord D. showed him Dr. Troy's communication. His authority for what he had mentioned, was a letter from Doctor Power, of Waterford, to Sir J. Newport, in which the Rev. Dr. said that Dr. T. had agreed to the bill.

"MR. CHARLES BUTLER.

"Mr. Hay, after some observations, moved that certain letters written by Mr. C. Butler to Mr. Grattan and Lord Castlereagh, and sent to Mr. Scully in February last, be laid on the table.

"These letters had been read to the board by Mr. O'Connell immediately after they were received. Mr. Hay seemed to think they contained some reflections on Lord Fingal, but both the other gentlemen were decided in the contrary opinion. Some conversation took place, after which the motion was agreed to.

"It was understood that the answer of Mr. Scully (agreeable to that gentleman's wish) shall be laid before the board with Mr. Butler's letters.

"ADDRESS TO THE PEOPLE.

"Mr. O'Connell rose to report from the committee appointed to revise the address to the population of Ireland, which had been read, and referred last Saturday. He stated that five members out of the seven, of which the committee consisted, were unanimous in approving of the address as it now stood, and without alteration. The other two had been unable to attend. One most respectable gentleman, Mr. R. M'Donnell, had mentioned to Mr. O'Connell that there were passages in the address which he wished to have altered, and as he was prevented from attending, by the most imperative business, Mr. O'Connell proposed that the address be re-committed, with directions to report next Saturday, in order to afford Mr. M'Donnell an opportunity to make his objections.

"Major Bryan seconded the motion, a proceeding which was the offspring of his respect for Mr. M'Donnell more than his conviction of its propriety.

"Mr. Finn thought that the re-commitment would afford a very bad precedent; that the address was much called for, and wished it to be immediately adopted.

"Major Bryan was quite of Mr. Finn's opinion. His support of Mr. O'Connell's motion was grounded entirely on his respect for Mr. M'Donnell, not that he thought it would be of any consequence, as *five* members out of the *seven*, of which the committee was composed, were for the adoption of the address in the shape in which it had been submitted to them.

"Mr. Scully said a few words on the same side.

"Mr. O'Connor thought that if there was a period at which it behoved the Catholics to be more circumspect in their conduct than another, this was the time. He had not heard the address read until this day, and from the idea which he had collected of it, from the

reading that had just taken place, it struck him that there were objectionable passages in it. Deferring its adoption for one week could possibly do no injury, and during that time gentlemen might have an opportunity of reading it carefully. He was, therefore, decidedly for the re-commitment.

"Mr. O'Connell moved that Mr. O'Connor's name be added to the committee. He had many reasons for this. The expression 'malefactors,' in the address, alluded to those who had encouraged and paid the well-known author of that audacious forgery 'the *Third Part of the Statement of the Penal Laws.*' Would any man say, that the persons who salaried, and paid, and encouraged the libellers and calumniators of the Catholics, while the Catholics themselves were rigorously punished for the slightest infraction of the law, were not malefactors? Mr. O'Connell also moved, that the name of Michael Fitzsimon, Esq., be added to the committee. The address was then re-committed, and the names of those two gentlemen added.

"FORGERIES TO DUBLIN PETITION.

"Mr. O'Connell reported from the committee appointed to inquire into forgeries affixed to the Lord Mayor's petition; stated that the books of signatures were now printed, and that the committee would be able to make their final report next Saturday.

"THE PRINCESS OF WALES.

"Mr. O'Connell stated, that upon referring to the numerous addresses to her Royal Highness from public bodies in England, it had been found that they had been uniformly signed by the chairman and secretary. He, therefore, proposed that the address to her Royal Highness be signed by the chairman and secretary of the late aggregate meeting. Agreed to unanimously.

"NEW PETITIONS TO PARLIAMENT.

"Doctor Dromgoole moved that a committee be appointed to prepare the petitions to the legislature, resolved on by the late aggregate meeting.

"Mr. Roche said a hint had been thrown out at that meeting, of the propriety of the Catholics themselves preparing a bill. He approved of it.

“Mr. O’Connell agreed with the last speaker. He thought the draft of a bill should be offered to the parliamentary friends of the Catholics, requesting them to present it.

“The following gentlemen were then named as the committee to prepare the petitions.

“Mr. O’Gorman,
Mr. Scully,
Dr. Sheridan,
Mr. O’Connell,
Mr. Fitzsimon,
Mr. Kennedy,

Major Bryan,
Mr. Finn,
Doctor Dromgoole,
Mr. Taaffe,
Mr. M’Carthy.

“EARL DONOUGHMORE.

“The secretary read the notice given by Mr. N. Mahon, of a motion to thank Lord Donoughmore for his communication, and acquiescing in the advice given therein.

“Mr. Mahon not being at the board, Major Bryan believed the regular way would be to discharge the motion.

“Mr. Costigan thought it was a motion which the board should adopt.

“Doctor Dromgoole was of the same opinion, and from respect for Mr. M. moved the postponement of it till Saturday next.

“Mr. O’Connell would thank his lordship, with all his soul, but was for presenting the petition. In order to separate the subjects, he gave notice of a motion for a vote of thanks generally.

“AGGREGATE MEETING.

“Mr. O’Connell conceiving that Tuesday sen’night would be too soon for the aggregate meeting, entered notice of a motion for its postponement. Adjourned.”

“Address of the General Board of the Catholics of Ireland, to the Catholic population at large, as read at the Catholic board on Saturday last.

“Beloved fellow-countrymen, and fellow-sufferers—The general board of the Catholics of Ireland, to whose care you have confided the conduct of your petitions to the legislature for relief, deem it prudent, at this critical juncture, to lay before you certain considerations, seriously interesting to our common security and welfare.

“As the chosen depositories of our claims and expectations, we have been

solicitous; at all times, and under every discouragement, to justify your confidence by a firm and faithful discharge of our solemn duty towards Ireland; and, however ardently engaged in soliciting the restoration of religious freedom, we have *never infringed the limits of the law*, or been unmindful of what is due to the peace and good character of the country.

“We have encountered many difficulties and much obloquy—these had been foreseen; the former we have nearly surmounted—the latter we have wholly disregarded. The worst of human passions and vices have been arrayed against us, but with little effect. Monopoly, assuming the mask of religion, presented a host of selfish and hypocritical opponents; these have been discomfited with ridicule and reprobation. Ignorance, starting from the lethargy of ages, frowned upon the advocates of enlightened policy, and menaced the extinction of our legitimate hopes; her influence has vanished like the pestilential vapour before the advancing light of heaven. Sectarian jealousy, national prejudices, have been stimulated against the freedom of Irish Catholics; these have been permitted to wanton in shameful and savage licence; but they have finally fallen beneath the pressure of justice and reason.

“The moment has arrived when the cause of Catholic freedom rests almost solely upon *Catholic firmness, prudence, and circumspection*; our enemies have failed in their attempts to obstruct our petitions, or to stifle the discussion of our just complaints; worsted in argument, prostrate before public abhorrence, they have resorted to wicked machinations for traducing our conduct, character, and principles. *Forgeries and fabrications* have become their weapons of controversy. They have not been ashamed to invent and to circulate in your name, the vilest publications, calculated to delude and impose upon your Protestant fellow-subjects, to create jealousy and hatred, and to criminate the Catholics of Ireland by imputations equally false, impudent, and atrocious. These crimes of traitorous malignity have been, strange to tell, perpetrated with impunity.

“These devices have, however, wholly failed, or enjoyed a mere temporary triumph—they have been detected and despised.

“Fellow-countrymen, a *new danger* now impends over our abused country, and a new mode of hostility is developed; of this we are about to warn you; our enemies seek to irritate our passions, and to betray us into imprudent resentments. Restless and desperate, they have undertaken to provoke, or to seduce the Catholic body to violence and insurrection. We know that local agents are busy, and venal emissaries are abroad. These miscreants will resort to your meetings, your clubs, and your public places; they will insinuate themselves into your confidence by counterfeit zeal, by daring language, by affected warmth and concern for your sufferings. They will suggest secret oaths and engagements, propose illegal associations, circulate wild and improbable rumours of plots and conspiracies, recommend and predict rash and ruinous hostilities. Fellow-countrymen, behold a deep-laid and diabolical plot now in actual progress; constructed, not merely for defeating Catholic freedom, but for involving our beloved country in massacre, desolation, and ruin. Be now, more than ever, vigilantly upon your guard. We entreat and conjure you, as

you value your families, your country, and your religion, to shun the vile instruments of this nefarious policy—to beware of their fatal snares and seductions.

“How, indeed, can the insidious foe hope to persuade us, that the Catholic cause requires any *infraction of the laws*, or any *disturbance* of the public peace? The avenue to success is yet open; the constitution points it out; it lies through petitions to the legislature, to King, Lords, and Commons. Let us then petition—petition from every town, village, and parish, without exception; let every man, every woman, every child, subscribe such petitions; no name is so humble as not to be useful; this is the interest of all—this should be the business of all; persevere, and be not deterred or dissuaded; *slumber not over your deep wrongs; let persecution be exposed to notoriety, and let your just complaints resound throughout Christendom!*

“Leave the rest to events, to the legislature, and to Providence; our cause is good, and favoured from above; it is in faithful hands; let us be, therefore, confident and strenuous.

“In the meantime, fellow-countrymen, let us preserve our habits of industry, domestic union, good morals, *allegiance* and *religion*. Let us instruct our children in useful knowledge, instil into their hearts a love of virtue, of freedom, of their country, and of the faith of their ancestors. Place before their eyes the dignified example of “men, who know their rights, and knowing, dare maintain!”

“Yet steady and immovable in the paths of righteousness, order, and good will.

“Thus shall you speedily disappoint the fond speculations of malignant and besotted foes!

“Thus also shall you gladden the hearts of your faithful and enlightened friends, justify their regard, and requite their unabating labours for your happiness.

“May genuine freedom crown a virtuous perseverance with her rich rewards; and may we all enjoy in security, as we shall have earned through peril, the precious blessing of concord, internal peace, and constitutional independence!”

Letters from Charles Butler were read at the next meeting of the board, (on the 20th of June, Sir Thomas Esmonde in the chair) accounting for, and seeking to explain, his interviews with Lord Castlereagh.

He declared that in these interviews he had not intended nor affected to implicate the Catholics of either country, nor any one but himself, in the opinions he there uttered.

That in the original sketch of a bill prepared by him a year and a half before, at the instance and recommendation “of one of the most steady and active friends of the Catholics in

parliament," and afterwards solicited from him by Henry Grattan, the entire rights of the Catholics were insisted upon, and "not the slightest right given to government to interfere in our ecclesiastical concerns, in any form or manner whatsoever."

That he had, two or three times, held communication, by letter, with Mr. Scully upon the subject, and had endeavoured to avail himself of that gentleman's suggestions and observations.

Upon these letters Mr. Scully briefly remarked.

He said that his answer to Mr. Butler's communications had been dated the 3rd of February, in the current year (1813), and was to the following effect:—"That he would strongly recommend to him to discontinue his interviews with any members of the administration upon the affairs of the Catholics of Ireland—that he disapproved of several passages in the letters—replied to objections on the score of the *tone* of the Catholic petition—stated that the Irish Catholics were never so strong as they were at that moment, for they were never so unanimous and determined, and were guiltless of intemperance on the one hand, as of want of energy and determination on the other," &c., &c.

Another letter was then read, written by Mr. Butler to Sir John Cox Hippisley, in December, 1812, in which, amongst other things, the writer blamed the resolutions of the Irish prelates, principally for "their rejection, by anticipation, of all *arrangements* respecting them!"

He declared their resolution "*very improper (!)*"—not called for—calculated to disgust friends, and furnish arms to enemies."

This species of cant we are not altogether unaccustomed to in the present day, whenever any bold step is taken in the popular movement.

Its true meaning, in the present day, as at the time Mr. Butler used it, and on all the many occasions that it has been repeated in the interval, is, that such steps are very inconvenient and embarrassing to those who desire to seduce, pervert, and corrupt the public mind.

"I believe, too," continued Mr. Butler, in the same strain, "that some speeches in Ireland have disgusted our friends

. *I think the English Catholics should, for this once, lead the way !” &c., &c.*

His suggestion was not taken, very fortunately for the English Catholics themselves. Had the Emancipation struggle been led by them, generations yet to come would be engaged in it.

The production of these letters had been occasioned by a charge made by the Secretary of the Board, Mr. Edward Hay, against Mr. Butler, to the effect that the latter had written disrespectfully about Lord Fingal. Mr. Hay did not now endeavour to support the charge, but read a short note from Mr. Grattan, asking for the letters, and said that he himself had accordingly written to Mr O’Connell, “requesting copies of the letters ; but Mr. O’Connell had not vouchsafed an answer.”

“Mr. O’Connell said he had not felt himself at liberty to send those letters which Mr. Butler said he had considered *private* ; and as to the imputed discourtesy, the fact was, that he had received Mr. Hay’s letter but two days before he left town for circuit, and at a period when the pressure of professional business deprived him of any possibility of corresponding with any person.

“Besides, if Mr. Grattan had occasion to see documents in his possession, he really did think, that respected gentleman might have condescended to ask for them himself, and not through the medium of Mr. Hay.

“It was no trivial impulse of vanity which induced this feeling ; but, in fact, it appeared that there was the most studied and marked neglect of the sentiments and opinions of the Irish Catholics during the last session. Neglect ! It actually showed a contempt for them which, if they bore in silent acquiescence, they would prove they merited. See how the facts were—

“First, a bill, purporting to be for their relief, had been prepared in Dublin, under the auspices of Mr. Grattan, by three gentlemen of the bar ; but so far from any Catholic having been consulted on that occasion, that even the preparation of the bill here was, for the time, considered as too important a secret to be confided to any Catholic whatsoever ! It was our case that was to be brought before parliament, and yet the mode of relief was conceived to be beyond the reach of our understandings !

"The second instance of this disrespectful conduct was apparent in the treatment which our delegates had received in London. Every communication with them was declined. So far were they from being consulted upon any details of the Relief Bill, that their offer of assistance was rejected, with civility to be sure, but very distinctly.

"The third proof of the low estimate which our parliamentary advocates formed of us, was found in the fact, that whilst all the members of the board and of the Catholic body in Ireland were neglected, whilst our delegates in London were disregarded, it appeared, from Mr. Butler's letters, that *English* Catholics were not only consulted, but that their advice and assistance were anxiously sought for and required by Mr. Grattan and our other advocates!

"No man can be more sensible than I am of the splendid talents, and more splendid patriotism of Mr. Grattan; but a more humble friend may be more useful. It was impossible to emancipate the Catholics, unless they were consulted upon the details of the practical modes of procuring relief. If Mr. Grattan would not condescend to consult the Irish Catholics, they were bound to have their petition presented by a person who would enter into those details with them; and much as I should regret the loss of even the name of Grattan, as the person who was actually to present our next petition, I cannot help saying that if some arrangement be not made with him, and some fixed manner of communicating our sentiments settled—if, in short, he is pleased again to reject all intercourse with us, it will be a painful but a solemn duty to Ireland, to consider whether it would not be more useful to our great cause to place our petition in the hands of some man, who will cheerfully hold the requisite communication and intercourse.

"Such a man should most certainly have his humble vote, and all the interest he could exert to secure his selection, even though the rival candidate bore the illustrious name of Henry Grattan. (Cheers.)

"Mr. O'Connor passed a eulogy upon Mr. Grattan.

"Mr. Bagot rose for a similar purpose, and called it 'hasty,' to remark upon Mr. Grattan, as Mr. O'Connell had done. The former might have merely consulted Mr. Butler on a professional view of the relief measure.

"Mr. O'Connell said that his '*hastiness*' consisted simply in taking the word of Mr. Butler for the fact, that the latter *was* called upon by Mr. Grattan to prepare the bill.

"If it had been merely a professional opinion that was required, would it not have been better to have consulted an Irish barrister?"

"This was not the time to consider whether Mr. Grattan should present another petition or not. When the proper time arrived, he might alter his opinion, although he did not think he should. He repeated, that when Mr. Grattan was about to legislate for Irish Catholics, it would have been more natural to consult Irishmen than Englishmen. If, however, that gentleman chose to refuse to do so, he had, of course, a perfect right to act as he pleased; and so, in their turn, had the Irish Catholics. He liked Mr. Grattan much, but he liked Ireland more!

"The matter was dropped; and the board proceeded to consider the new petition, which was brought forward by Mr. O'Connell."

The *Dublin Evening Post* thus introduced it, in its report of the day's proceedings:—

"PETITION OF THE ROMAN CATHOLICS OF IRELAND.

"We present this day, exclusively, the new petition of the Catholic population to the Imperial Parliament.

"It is a most splendid and solemn document, speaking in a tone so argumentative and so simple, that even bigotry must admire and apostasy feel it. It was read, on Saturday last, at the Catholic board, by Mr. O'Connell, who was frequently interrupted by applause, and cheered at his conclusion with the most rapturous enthusiasm.

"We have no doubt that it will be adopted with one voice throughout Ireland.

"TO THE HONOURABLE THE HOUSE OF COMMONS IN PARLIAMENT ASSEMBLED.

"We the Roman Catholic people of Ireland, again approach the legislature with a statement of the grievances under which we labour, and of which we most respectfully, but at the same time, most firmly, solicit the effectual redress.

"Our wrongs are so notorious, and so numerous, that their minute detail is quite unnecessary, and would, indeed, be impossible, were it deemed expedient.

"Ages of persecution on the one hand, and of patience on the other, sufficiently attest our sufferings and our submission. Privations have been answered only by petition—indignities by remonstrances—injuries by forgiveness. It

has been a misfortune to have suffered for the sake of our religion ; but it has also been a pride to have borne the best testimony to the purity of our doctrine by the meekness of our endurance. Like the great type of our adoration, we have not merely been the passive victims of unjust infliction, but we have even endeavoured to expiate the cruelty of our oppressors. We have sustained the power which spurned us ; we have nerved the arm that smote us ; with a gratitude always superior to our privileges, we have lavished our strength, our talent, and our treasures, and buoyed upon the prodigal effusion of our young blood the triumphant ark of British liberty.

“ ‘We approach, then, with confidence, an enlightened legislature. In the name of nature, we ask our rights as men. In the name of the constitution, we ask our privileges as subjects. In the name of God, we ask the sacred charter of unpersecuted piety as Christians.

“ ‘Are securities required of us!! We offer them—the best securities a throne can have—the affections of a people. We offer faith that was never violated—hearts that were never corrupted—valour that never crouched. Every hour of peril has proved our allegiance, and every field of Europe exhibits its example.

“ ‘We abjure all temporal authority, except that of our sovereign. We acknowledge no civil tie, save that of our constitution ; and, for our lavish and voluntary expenditure, we only ask a reciprocity of benefits.

“ ‘Separating, as we do our civil rights from our spiritual duties, we earnestly desire that they may not be confounded. We “render unto Cæsar the things that are Cæsar’s ;” but we must also “render unto God the things that are God’s.” Our church could not descend to claim a state authority ; nor do we ask for it a state aggrandisement ; its hopes, its powers, and its pretensions are of another world ; and when we raise our hands to the state, our prayer is not that the fetters may be transferred to those hands which are raised for us to heaven. We would not erect a splendid shrine, even to liberty, on the ruins of the temple.

“ ‘In behalf, then, of FIVE MILLIONS of a brave and insulted people, we call on the legislature to annihilate the odious bondage which bows down the mental, physical, and moral energies of Ireland ; and, in the name of that Gospel which excludes all distinction, we ask FREEDOM OF CONSCIENCE FOR THE WHOLE CHRISTIAN WORLD.’

“ Mr. O’Connell having read the petition, it was received with three distinct peals of applause from all parts of the house, which were returned by the multitude from without.

“ Mr. O’Connor begged to know, who the author of so beautiful a composition was ; he ought to be known, that his country may give him the only reward she could bestow—her cordial gratitude.

“ Mr. O’Connell said that he was able to give the board that information, and he was proud to claim the author as his particular friend. He was a gentleman of the bar, a Protestant, and an undoubted friend to every civil and religious liberty ; he was a youth

whose young heart beat high in the cause of Irish freedom, and whose darling ambition was, to serve and to exalt his fallen country; his muse had already adorned his native land, and, in his first exertions, the promise of his future services, was lively, consolatory, and certain. His poetic fancy had proved itself rich in the enthusiasm for his country, that inspired and ennobled the song of her ancient bards; and never did the soul of Irish chief or patriot burn with a flame more permanent—more pure in his affection for Ireland. In the hour of our calamity and of our fallen fortunes, he has arisen a new and splendid light amongst us, to cheer and to invigorate our pursuit of freedom; and in the early stage of youth, he exhibits those qualifications which will render him familiar to the Irish ear, and dear to the Irish heart; the name of my amiable friend, the author of ‘The Emerald Isle,’ is Charles Phillips.” (Loud and repeated cheering.)

Mr. O'Connor then moved—

“That the heartfelt gratitude of the Catholic board be presented to the splendid and patriotic friend of Ireland, Charles Phillips, Esq., Barrister-at-Law, for the exertions by which he has served and ornamented the cause of our common country.”

On the succeeding Monday, the subject of a vote of thanks to Lord Donoughmore, and acquiescence in his advice to suspend all proceedings in the House of Lords for that year on the Catholic question, was pressed on the committee by Mr. Mahon.

Mr. O'Connell moved an amendment to this motion, to the effect of thanking Lord Donoughmore *generally* for his splendid services, but entirely refusing to bind the board to the adoption of his advice, not to press the discussion of the Catholic claims in the Upper House during the current session.

We have not been able to find any report of this speech; but it is described by the newspapers as having been very animated. A strong body, however, led by Dr. Dromgoole, supported the original motion, which was carried upon a division of 14 to 10.

Upon Tuesday, the 29th of June, at another aggregate meeting, in Fishamble-street, a letter, couched in warm terms of thanks and respect, was read from Dr. Milner, in acknow-

ledgment of the vote passed in his favour at the last aggregate meeting.

The Catholic petition, as read and adopted at the board on Saturday, was brought forward, and formally adopted here.

Mr. Mahon moved.

“ That the Catholic board be instructed to cause the petitions to be presented to both houses of parliament, at the earliest period of the next sessions.”

Mr. Scully supported the motion in a lengthened and able address, reviewing the whole progress of the cause, and the arguments and attacks of various kinds used against it and its promoters.

His speech was very warmly applauded, as was also one of equal ability from Mr. Finlay.

It then came to Mr. O'Connell's turn to speak.

“ The talent (said he) which has been displayed this day by my excellent friends who have preceded me in addressing you, affords the sure resource in our difficulties—the certain pledge of our success. I cannot imitate the eloquence which I admire, and I rise merely to propose, with as little preface as possible, two or three resolutions for your consideration, and, I hope, for your adoption. I beg leave, in the first place, to move—

“ ‘ That Mr. Scully be requested to take the trouble of giving to the public, in print, a correct copy of the admirable speech which he has delivered this day.’

“ Major Bryan seconded the motion, which was put from the chair, and carried by acclamation. ”

“ Mr. O'Connell proceeded: now, let me return you, in one word, the thanks of my heart for the kindness with which you have this day received me. I am proud of the kindness of my fellow-countrymen. It is the only reward I would accept, as it is the only one I seek; but it is a rich recompense! It consoles and compensates me for the slanders and malignity of those who are *my* enemies, only because they are *your* oppressors!

“ Nay, in their enmity, too, I feel comfort and delight. I rejoice to have earned their hostility; and I shall deem lightly of myself—most lightly, if the hour shall ever arrive, when the men, who enrich

themselves and fatten themselves by the degradation and enslavement of Ireland, shall treat me with favour, or even with neutrality.

"I complain not of their calumnies; I exult in them. I have lashed the bigot and the tyrant; I have exposed the infamy of those hypocritical pretenders to sanctity, who, in the name of God, plunder and oppress unhappy Ireland!—the men who discount their consciences and obtain money by their pretensions to piety—men, whom I need not name, because you know them at once by description.

"These men calumniate me, when it is quite safe so to do, in my absence. I exult in 'deserving their hatred; I rejoice at their exertions, which only prove that I have, in some measure, revenged my country upon them. I court their bitterest hostility: all I deprecate is, their forbearance or their favour.

"Your enemies say—and let them say it—that I wish for a separation between England and Ireland. The charge is false; it is, to use a modern quotation, as 'false as hell!' And the men who originated, and those who seek to inculcate it, know it to be a falsehood. There lives not a man less desirous of a separation between the two countries—there lives not a man more deeply convinced, that the connection between them, established upon the basis of one king and separate parliaments, would be of the utmost value to the peace and happiness of both countries, and to the liberties of the civilized world.

"Next, your enemies accuse me of a desire for the independence of Ireland. I admit the charge, and let them make the most of it. I *have* seen Ireland a kingdom; I reproach myself with having lived to behold her a province! Yes, I confess it—I will ever be candid upon the subject—I *have* an ulterior object—

"THE REPEAL OF THE UNION, and THE RESTORATION TO OLD IRELAND OF HER INDEPENDENCE. (Loud and repeated cheering, and acclamations for several minutes.)

"I am told that it is indiscreet to avow this intention. It may be so; but in public affairs, discretion may easily pass into dissimulation, and I will not be guilty of it. And if to repeal the Union be the first service that can be rendered to Ireland, as it clearly is, I, for one, most readily and heartily offer to postpone our Emancipation, in order to promote the cause of our country. (Loud cheering.)

"But let me not be mistaken. It is true, as I declare, that I desire the restoration of our Irish parliament; I would sacrifice my existence to restore to Ireland her independent legislature; but I

do *not* desire to restore precisely such a parliament as she had before. No: the act of restoration necessarily implies a reformation, which would for ever abolish the ridiculous, but most criminal traffic in the representative privileges. The new Irish legislature would, of course, be purged of all the close boroughs. The right to nominate to parliament should no longer be a matter of traffic, or of family arrangement; it should not be, as it is at present, private property; so much so, that I could name to you a borough in which a seat in parliament is vested by regular marriage settlement. I could tell you the date and number of the registry, in which a judge of the land and a country gentleman, are trustees to raise money upon it, for the benefit of the younger children of a baronet; this traffic—this most odious and disgusting traffic, should be abolished at once and for ever, were our parliament restored to us. (Cheers.)

“Desiring as I do the Repeal of the Union, I rejoice to see how our enemies promote that great object. Yes, they promote its inevitable success by their very hostility to Ireland; *they delay the liberties of the Catholic, but they compensate us most amply, because they advance the restoration of Ireland; by leaving one cause of agitation, they have created and they will embody and give shape and form to a public mind and a public spirit.*”

[Was there nothing of prophecy in this? Have not Whig and Tory statesmen been compelled to bear bitter evidence to the truth of it many and many a time within recent recollection.]

“Ireland lay in torpor till roused by the call for religious liberty. She would, I fear and I am convinced, have relapsed into apathy if liberty of conscience had been speedily conceded. Let them delay Emancipation but yet a little while, and they will find that they have roused the sleeping lion of Ireland to awaking activity, which will not permit our further slumber till Ireland is herself again. (Loud applause.) They may still, perchance, think of administering the narcotic of religious freedom, which may tend to re-establish political lethargy; but only let them allow our discussions to continue, let them suffer our agitators to proceed—let the love of country and even the desire of notoriety be permitted to excite fresh agitators, and, above all, let the popular mind become accustomed to the consideration of public subjects and to the vehemence of political contest, and they know nothing of human nature who imagine that

they can, with a breath, still the tempest that they shall have thus excited, or be able to quiet a people whom they shall have roused to a sense of their wrongs, and to a knowledge of their own strength and importance !”

We cannot help pausing again to make one other remark. Mr. O’Connell has long been made the object of most bitter revilings by the English press and English orators of every shade of party, for embarking in a new agitation after the Catholic Relief Act had been conceded ; yet in this speech, and others at various periods of the Catholic struggle, he fully and fairly warned England of the dangers of delay, and if his warnings were unheeded and his counsels scorned, the English have but to blame themselves for the annoyances which they complain of from the sustained and continued political agitation in Ireland.

It is of a piece with the general unfairness which English writers and speakers, pandering to the passions and prejudices of their readers and hearers, have uniformly displayed, in dealing with the striking manifestations within the last few years of the strong and resolute desire of the Irish people for their nationality, that Mr. O’Connell should be denied the credit he is most justly entitled to—of never having disguised his great object, never having let pass an occasion of announcing it, and while announcing it, showing plainly and putting strongly in view the means by which alone he could be defeated, by which alone the mighty national confederation he has now organized could be prevented, or at least postponed, and the Irish people be got to sit down patient for perhaps some generations longer with the provincial degradation of their country.

Concession and conciliation to the Catholics—justice to Ireland ; these he has constantly and unremittingly held out, at every step of his career and every period of the popular agitation, as the means of which alone such a result could be obtained, and by which it might, without much difficulty, have so been ; but his warnings, suggestions, remonstrances have, throughout, been unheeded and despised ; the national will and the national heart were allowed to gather strength and courage unimpeded

and unsecluded, and now he has the consolation of believing and knowing, that not even concession of minor rights and privileges can ever again obstruct or delay the full and entire attainment by Ireland of that without which all else is vain—the right of making her own laws in her own parliament!

We resume Mr. O'Connell's speech, at the point where we have been tempted to make this digression.

“I repeat it! The delay of Emancipation I hear *with pleasure, because in that delay is included the only prospect of obtaining my great, my ultimate object—the Legislative Independence of my native land!*

“I have wandered from my subject; but I have not forsaken your cause. The very calumnies of your enemies and mine lead us to the discussion of topics which it is for their interest to bury, if they can, in eternal oblivion! The manner in which I shall refute their calumnies is, by endeavouring to serve you. I cannot do that better than by tendering to you my humble, but my honest advice. The present period peculiarly calls for that advice. Emissaries are abroad, agents have been employed, abundance of money and great encouragements are held out to those who may seduce you from your allegiance. Your enemies cannot put you down, unless you yourselves lend them assistance. Your cause must triumph, unless you yourselves crush it. You have the fate of Ireland in your hands—upon you, and upon you alone does it depend. Alas! for poor Ireland! Her liberties depend upon the prudence of a people of the most inflammable passions, goaded almost to madness on the one hand by Orange insults and oppressions, and exposed at the same time to the secret seductions of the agents and emissaries of those very Orange oppressors!

“Do you wish to gratify the Orangemen? If you do, the way is before you. You have only to enter into some illegal or traitorous association; you have only to break out into turbulence or violence, and the Orangemen will be delighted, because it will afford them the wished-for opportunity of rioting in your blood!

“Do you desire to afflict and disgust your friends? If you do, the way is open to you. You need only form illegal or seditious societies. You have only to commit some outrages against the public peace, and

against your sworn allegiance, and your friends must abandon your cause with contempt and abhorrence.

“In short, your enemies are on the alert. They throw out the language of irritation, and they adopt every measure of oppression to goad you to a violation of the law—to a departure from your loyalty, and peaceable demeanour. But it does not rest there. They send round their agents with money, and with pardon for themselves, to preach in private circles the doctrine of insurrection—to form secret knots and associations—to seduce you into crime and then betray you. These miscreants endeavour to obtain your confidence, that they may sell your lives! In the meantime, the Orangemen stand to their arms, ready prepared, primed and loaded; they stand with the triangle and the gibbet, to torture, to plunder, and to massacre!

“Alas! alas! my countrymen, see you not the fatal snare? Do you not comprehend the cruel purpose of your betrayers? Yes! my countrymen were never deficient in intellect—they never wanted ready comprehension. They do, and they must perceive that if a single parish—if a single village—nay, if a single individual, exhibits the symptoms of political crime—if a single wish, inconsistent with loyalty, allegiance, peace, be expressed, our enemies will have an excuse, and a justification for their crimes and oppressions! The Habeas Corpus Act will again be suspended—the reign of torture and of terror will again be renewed, and the cause of Ireland will be lost, and lost for ever!

“I am deeply anxious to impress upon those who hear me, or may chance to read a report of what I utter—I am most deeply anxious to impress upon the minds and understandings of every true Irishman, that disloyalty to his sovereign would be double treason to his country; it would be perjury, aggravated by folly, and followed by the eternal extinction of the liberties of Ireland. And what prospect could there possibly be of aught besides destruction? You would have no friends—no supporters. We, who now join you in bearing down upon our oppressors—we, who expose the hypocrites that cover their bigotry in the stolen garments of religion—we, who are ready to run every danger, to sustain every calumny, and every loss and personal inconvenience in your cause, so long as you conduct that cause within the limits of the constitution—we, in whom you confide, would, and *must*, be found, if you violate the law, in the ranks of your enemies, and in arms!

"For myself, I will tell you honestly, that if ever that fatal day arrive, you will find me arrayed against you. There will not be so heavy a heart; but there will not be a more ready hand to sustain the constitution against every enemy!

"Think you that I should thus consume your patience in repeating my cautions, did I not know that at this moment no means are left untried to seduce the population of this country? Our enemies have long duped the people of England—indeed, that was not difficult; so dishonest and besotted a people as the English never lived. (Loud cheers.) Yes; they *are* dishonest and besotted! Individuals—many individuals, and classes amongst them, I respect and reverence; but as a nation, I must say, and I can prove it, that they are most profligate and quite lost in folly.

"For a specimen of their morality, take a few transactions of this war—a war carried on for the preservation of justice, social order, and religion! Well, in this just and religious war, the English attack, plunder, murder a people with whom they are then at peace! Without a shadow of any provocation, they, in the midst of peace, steal the Danish fleet, burn the Danish capital, and massacre, even to the infants in her foundling hospital!! But this is not all. This atrocious crime, for which England will be ever execrated, and will, probably, be punished—this atrocious crime is now followed by a formal treaty with Sweden, by which England sanctions the robbery of an entire kingdom. Sweden has no more right to Norway than Napoleon to London; yet the English give her Norway! What would they say if Napoleon were now to make a present of Ireland? Sweden is the good ally of England. Such good friends ought to make near neighbours; and Ireland would, I think, suit Swedish purposes as well as Norway.

"Such is the morality of England, that she has afforded the example that would justify the transfer of her own dominions to foreigners.

"As to English stupidity, it is really become proverbial; it is treated by her rulers with too little ceremony. The mercenary Press which they pay does exhibit, I think, a little too much contempt for the English understanding. The *Courier*, for example, begins the week with some egregious lie or other; the writers are aware that its falsehood will be discovered by Thursday; but on Thursday they are prepared with a second lie, which will last till Saturday, when lie the third is coined; and the English—the most *thinking* English—swallow, with the same unabating credulity, the first, second, and

third of these lies, and are prepared to commence the ensuing week with an unabated appetite for falsehood ! (Cheers and laughter.)

“To descend from the nation to an individual. Can anything be more beastly stupid than the conduct of Lord Kenyon, who is now organizing Orange lodges ? Why does not the animal see that the principle of religious exclusion might have prevented him from being a lord ?—that he has escaped into sinecure places, property, and a peerage, by the accident of his father’s creed ? For example—if his father, who was a common writing clerk to an attorney, if he by accident had been a papist, the present Lord Kenyon, instead of being a peer, would, most probably, have been a private soldier, or a peasant ; or, at the utmost, by a timely conversion from the errors of popery, he might have arrived at the dignity of being the first preacher, and highest bouncer, of some society of Welsh ‘jumpers.’ (Laughter.) Yes ; my Lord Kenyon, if he had a particle of understanding, would feel that his Orange exertions expose the upstart only to the contempt of a people whom he may oppress, but of whom he would not dare personally to insult the lowest individual !

“Such is the state of England ; she is ready to sanction any crime—to credit any delusion.

“Her Orangemen calumniate you. They only require of you one single act of sedition and turbulence, and you will confirm and establish their calumnies for ever !.

“I have, I own, been tedious in the advice I have given you for the regulation of your conduct, but think not that I recommend to you to submit to Orange outrage and insult. Let them go to war with you ; do you content yourself with going to *law* with them. If they dare to attack the wealthy Catholic—a proceeding they are generally much too prudent to adopt, the wealthy Catholic can protect himself. If they attack the poor, we are bound, and willing, to procure protection for him ; on his behalf the protection of the law shall be exerted. I am able to promise it, because the Catholic board has the rich treasury of the Irish heart to draw upon, in order to procure the funds necessary to afford this protection.

“I repeat it ; no illegal outrage shall be committed with impunity by the Orange banditti upon the poor, or the hitherto unprotected. This is the first duty that we owe to the patient people.

“We owe them another. We owe them the home-market ; we owe them the consumption of Irish manufactures—the consumption of *nothing but Irish manufactures*. (Loud and repeated cheers.)

"Yes; it is a solemn duty imposed upon the Irish Catholics, to give to their own countrymen the priority of their custom. One would imagine that it ought to require no argument to enforce this duty, but the melancholy fact is, that Ireland is debased and degraded; first, and principally, because Irishmen have given a perverse preference to everything that was *not* Irish. We enrich the bigots of England, and we leave our own manufacturers starving, and then we talk of our patriotism! In fact, the clothing districts in England are the most bigoted portions of it. The no-Popery cry commenced last year in the very centre of the cloth-manufactory. It commenced with the dealers in cloth, at Pontefract, in Yorkshire; and I need only appeal to the Leeds newspaper, for the absurd virulence with which persecution is advocated in that town.

"Why, in that very paper I read about a fortnight ago an account of a fresh rebellion in Ireland—nay in Dublin! As none of you heard of it, let me inform you, that it actually took place. (Loud laughter.) I forget the day, but that is not material. It took place in Exchequer-street. The Nottingham regiment covered it with glory! They fought the popish rebels for two hours; the rebels ascended the houses, fired out of the windows, threw brickbats and large stones from the roofs! Two regiments of horse, three regiments of foot, the Flying Artillery from Island-bridge, and the regiment of Artillery from Chapelizod, all shared in the honour of the day! and, at length, the main body of the rebels retired to the Wicklow mountains, and the residue of them went to bed in town; fortunately no person was killed or wounded, and tranquillity was restored by a miracle! (Loud laughter.)

"Do you imagine I jest with you? No; I solemnly assure you that the story is gravely told in the Leeds newspaper. Some of the London journals have copied it, even to the scrap of bad Latin with which Yorkshire dulness has adorned it; and there is not a maker of woollen cloth at Leeds that would not swear to the truth of every sentence, and every word of it!

"And are these the men for whom you are making fortunes? Are there not, perhaps, hundreds that have been clothed in the fabric of these dullest of all malignant bigots? Probably the wretch who fabricated the lie is himself engaged in the woollen trade, and that Irish Catholics are his customers and consumers. Let us teach these drivellers and dotards that they cannot insult us with impunity. The most sensitive part of an Englishman is his purse; let us apply

ourselves to this his organ of sensitiveness, and make him feel in his tenderest part, the absurdity of rousing an anti-Anglican spirit amongst us; by this will you punish your enemies; but what is still more delightful, by this will you encourage and stimulate the industry of your own poor countrymen. (Cheering.)

“Let us leave to the Orangemen the produce of England. The Orangemen are the sworn enemies of Ireland, and naturally enough have ratified their alliance with England. But let us recollect that our own tradesmen are starving; that it is in vain to preach loyalty and obedience to the laws, if we leave our people without employment, if we encourage English industry, and thereby promote idleness in Ireland. (Hear, hear.)

“For my own part, I have long made it a scrupulous duty, not to wear anything that was not Irish; and if you will sanction so humble an example by your imitation, you will confer wealth and content upon those who, in their turn, will powerfully aid you in the pursuit of your liberties. I shall move, and I am confident you will adopt a resolution to this effect. (Hear, hear, hear.)”

“I have also one resolution more to propose. It is suggested to me by my anxiety to obtain an adequate counterpoise from the law against the weight of misery which the revival of the Orange system threatens.

“I mean to move—

“‘That the board should prepare a second petition to the legislature, to take into consideration the judicial system in Ireland—the administration of the law amongst us.’

“We all know—and by sad experience we feel—how it is administered. It has been more than once said, quaintly and not untruly, that voting for the Union did not make a man a good lawyer. We all know that it did not, but it made many men judges; and some it made judges who had never held a brief. But this is not what I complain of at present; it is something more immediately injurious; it is the profligacy that is induced by the present state of the law in the mode of selecting *juries*! I need not remind you of the care with which every Catholic is excluded from the panel—or at least from the jury—when any question interesting to us is to be tried. How carefully every envenomed bigot is congregated, to pronounce a verdict of conviction by anticipation. Our petition must state these facts, and we will offer to prove them in their details. For example—

we will offer to prove, that a man in the class of bank director, has been heard to declare in public company, that he wanted no money—not he, from government—all he asked was, that when they should have a papist to try, that they should put him on the jury!! (Cries of shame.)

“I tell you that this is a fact—a fact which we are able distinctly to prove—nay more, that his request was complied with, or, at least, that he *was* put on a papist's jury!!!

“We will also furnish the instance of the present sheriffs of Dublin—Morgan and Studdart; they were elected for no other reason but for their hostility to the Catholics.

“The facts are public—Mr. Warner was entitled by the courtesy usually adopted in the corporation, to be sheriff. He was called on by Giffard (what a sense of justice this being must have!)—he was called on by Giffard to pledge himself against the Catholics. Mr. Warner who is a man that does honour to your city, finally refused to give any such pledge. Messrs. Morgan and Studdart cheerfully gave it. What was the consequence? Why, Mr. Warner was instantly rejected—Morgan and Studdart instantly appointed. The tenure of their office was a pledge against us—they have faithfully redeemed that pledge.

“How many gentlemen, too, have been refused the office of sheriff, for signing a petition in our favour? *I need not go to Carlow for instances! How many have been appointed for their hostility to us? I need not go to Kilkenny for instances! In short, my object is simply this: at present the law treats the Catholics as aliens and strangers in their native land. All I require is, that if we are to continue aliens and strangers in Ireland, we may have the privilege of aliens and strangers; not only the Frenchman, but the Turk, the Jew, and the negro, are entitled to this privilege, that if they are indicted for robbery, or killing an Irishman, the jury shall not be all Irish, but that one-half must be foreigners.

“The privilege of the Jew, or the Turk, or the barbarous negro, is all I ask for the Catholic. Let not Mr. Attorney-General be enabled to get up a mocking of a trial, and array his bigots in support of the falling cause of bigotry.

“I will conclude with a motion to this effect: but let me first recall to your recollection the situation of one of your earliest advocates, the Rev. Steel Dickson. He dared to be honest and independent, when it had ceased to be a fashion. At one time, the Presbyterians

of Ireland stood the very foremost amongst her children. They it was who principally forced a free trade from England, in 1778—they it was who, in 1782, insisted in arms that Ireland should have a free constitution; and a free constitution she instantly obtained—they it was who were the enthusiastic friends of every liberty. But, alas, how fallen! Lord Castlereagh, Doctor Black, and the *regium donum* have converted them into Orangemen. As Orangemen, they brought about the Union; and now they are persecuting this Christian priest, this preacher of the Most High God, because, forsooth, he has presumed to preach peace, and charity, and good-will to all men.

“Allow me to say one word of myself. I want to read my recantation. (A laugh.) I have been accused by the public papers of having spoken slightly of Grattan. I do not think I did so; but if I did, I shall only say, that I retract and renounce my error. Grattan, if he be mistaken, must ever be beloved by, and a pride to, every Irish heart. (Cheering.)

“Mr. O’Connell concluded by moving the resolution respecting Irish manufacture, and also that for adopting and forwarding a second Catholic petition, during the current session of parliament.”

These resolutions were severally put from the chair, and passed with entire unanimity, and amid great cheering.

Mr. O’Gorman next rose, and, after a speech of some length, made a motion, calling on the Catholic board to consider the propriety of an appeal to the Cortes of Spain, to intercede with their British allies in favour of Catholic Ireland.

The motion will be found in the advertisement of the whole number of resolutions at the meeting, which we shall presently give. It was seconded by Major Bryan, and passed without discussion.

“THE PRESS.

“Mr. O’Connell said he had another resolution to propose; it was one which could not fail to pass by acclamation; it related to the liberal and enlightened Press of Ireland, and to the most spirited of its conductors; that Press, which has rejected and despised the abundant proffers of corruption; that Press, which has scorned to accept of the people’s money, to advocate the people’s oppressors;

that Press, which has disdained a dishonest neutrality, and manfully and avowedly met the vexation and persecution of a malignant and base administration ; that Press, in short, which has withstood more temptation, and suffered more persecution, than ever the open Press has yet sustained—the free Press of Ireland.

“ It was pleasant to speak with gratitude of them, our best benefactors. In Ulster we had the *Belfast Magazine*—a work, in which all the elegance of classic taste was combined with all the good feeling of virtuous sentiment, and all the purity of genuine Irish patriotism. In the Orange darkness of the North it shone a light alone ; it enlivened the darkness in which Ulster was involved in the very low state of the public mind, and the degraded state of the Press in that province—a province, in which every newspaper conductor seems to bear in full recollection the full value of the government proclamations, but totally forgets that we have a country, and that to serve her is a profit to the heart, beyond the price of the paltry bribe of the Castle.

“ Ulster, once the source of Irish feeling and of Irish independence, is now so fallen as not to furnish one single literary advocate of poor Ireland, save the writers of the *Belfast Magazine*. What a pity it is that this invaluable work is not more known and more encouraged in the South of Ireland. What a shame to the Catholics is it that this friend to Ireland is, I fear, about to disappear through our neglect !

“ In the South, we have many advocates ; in Limerick, there is one of the best conducted and most patriotic papers in the land, the *Limerick Evening Post*. In Cork, the *Mercantile Chronicle*, an admirable paper, most patriotically conducted by my esteemed friend Counsellor M'Donnell, a member of your board, and a first-rate Irishman. There is, too, in Cork, another unbought, though, I think, mistaken paper. In Waterford, in Clonmel, in Wexford, and in Kilkenny, we have also papers conducted with patriotism and talent ; but to Dublin do we turn for the first glow of Irish talent and Irish spirit. In the *Evening Post* we have a brilliant advocate, that never ceases powerfully to serve, and severely to suffer for us.

“ In the *Freeman's Journal* and in the *Evening Herald* we have friends who cannot be bought nor intimidated, and whose talents adorn the cause of their country, which they never cease to promote. But I must point your vote particularly to the proprietor of the

Evening Post ; unseduced by the pleasures and enjoyments of youth—uncontaminated by the selfishness of wealth—unintimidated by the persecutions of power, he seeks to serve you as disinterestedly as he opposes your enemies ; he serves you as you deserve to be served, simply because your cause is that of his country, and for that country he has cheerfully met the envenomed shaft of persecution ; he has fallen into the fangs—the unrelenting fangs of our Huguenot Attorney-General.

“ For Ireland he has already found a dungeon—for Ireland, is he, probably, on the eve of returning to that dungeon, to waste the blooming season of his life, and to expiate the unpardonable crime of allowing his heart to bleed for the wrongs and woes of his native land. Need I urge Irishmen to cheer him with the voice of their gratitude—of their approbation. I detain you from the vote you are anxious to give, but I cannot conclude without proclaiming my conviction, that Ireland would be free if she possessed a second John Magee. (Loud shouts of applause for several minutes.) Mr. O’Connell then moved—

“ Resolved—‘ That the cordial gratitude of the Catholics of Ireland be given to the conductors of the liberal press of Ireland, and in particular to John Magee, Esq.’

“ It was carried by acclamation.

“ DUKE OF SUSSEX.

“ The thanks of the meeting were then voted to the Duke of Sussex. This motion was seconded by Mr. O’Connor, who expressed himself highly gratified at this opportunity of giving some token of that high respect with which the friendly attention of that amiable prince had inspired him and the other delegates.”

“ The resolutions being all passed, Sir Thomas Esmonde quitted the chair, and Mr. O’Connor having then been called to it, the thanks of the meeting were returned to Sir Thomas Esmonde, Bart., for his proper conduct in the chair.”

The following were the resolutions, in full, as adopted at this meeting, and subsequently put in the newspapers. We copy from the *Dublin Evening Post* :—

“ DUBLIN CATHOLIC MEETING,

“ At an aggregate meeting of the Catholics of Ireland, held at the theatre, Fishamble-street, Dublin, on Tuesday, the 28th of June, 1813,

“ Sir Thomas Esmonde, Bart., in the chair :—

“ Resolved—‘ That Edward Hay, Esq., be requested to act as secretary to the Catholics of Ireland.’

“ Wm. Francis Finn, Esq., the secretary to the late general meeting, read the answer he had received from the Right Rev. Doctor Milner, in return for the thanks of the Catholics of Ireland, which was received with rapturous applause, and ordered to lie on the table.

“ The petition drew up by the board of the Catholics of Ireland being read—

“ Resolved—‘ The the petition now read be received and committed to the care of the board of the Catholics of Ireland.’

“ Resolved—‘ That the thanks, gratitude, esteem, and affection of the Catholics of Ireland, are, in the most eminent degree, due, and are hereby given, to Charles Phillips, Esq., author of our petition; a man not more celebrated for his transcendent genius, than for the benevolence of his heart and the zeal of his patriotism; and though ourselves labouring under recent and severe disappointment, we find the most heartfelt consolation in the reflection, that our beloved country has still to boast of having produced a Phillips.’

“ Resolved—‘ That our petition be transmitted to the several counties throughout Ireland, and recommended for adoption.’

“ Resolved—‘ That the board of the Catholics of Ireland be requested to cause our petitions to be presented to both houses of parliament at the earliest period of the ensuing sessions.’

“ Resolved—‘ That Denis Scully, Esq., be requested to publish the able and excellent speech he made this day.’

“ Resolved—‘ That towards relieving the present distress, and allaying the deep affliction of our manufacturing fellow-countrymen, we deem it to be our bounden duty to give a decided preference to the use of Irish manufacture upon all occasions; and in this, our resolution, we earnestly solicit the concurrence of the Irish people.’

“ Resolved—‘ That the board be directed to prepare a second petition to parliament, calling the attention of the legislature particularly to the state of the judicial system in Ireland, so as (in the event of any postponement of our liberties,) to obtain for the Irish Catholics the benefit of that principle which gives to aliens a jury of one-half foreigners.’

“ Resolved—‘ That it be our instruction to the Catholic board; to consider of the constitutional fitness and propriety of sending an earnest and pressing

memorial to the Spanish Cortes, stating to them the enslaved and depressed state of their fellow-Catholics in Ireland, with respect to their exclusion, on the score of their religion, from the benefits of the British constitution, and imploring their favourable intercession with their ally, our most gracious sovereign.

“Resolved—‘That the cordial gratitude of the Catholics of Ireland be given to the conductors of the liberal Press of Ireland, and in particular to John Magee, Esq.

“Resolved—‘That the most cordial thanks of the Catholics of Ireland are eminently due and hereby given to his Royal Highness the Duke of Sussex, for his honest and manly reprobation of the Orange system; and that his Royal Highness be requested to institute an inquiry into the nature and tendency of said system, in the House of Lords.’

“THOMAS ESMONDE, *Chairman*.

“Owen O’Connor, Esq., in the chair :

“‘The thanks of the meeting were voted by acclamation to Sir Thomas Esmonde, Bart., for his conduct in the chair, and for his general patriotism.’

“OWEN O’CONNOR, *Chairman*.

“EDWARD HAY, *Secretary*.”

The reference in Mr. O’Connell’s first speech at the meeting of the 29th June, to the attempt to spread the Orange lodge organization throughout England, was amply justified by the fact.

On the very day that he was speaking, Mr. Charles Williams Wynne, then, as at present, member for Montgomeryshire, in Wales, rose, in the House of Commons, to move—

“That a committee be appointed to inquire into the existence of certain illegal societies, under the denomination of Orangemen.”

In making this motion he reviewed the origin, formation, and rules of the Orange society; and then made the following statement, which will show the extent of the movement that was attempted :—

“He would next refer to the means which were provided for establishing these societies over the entire country.

“It appeared that Orange lodges met regularly in London, Manchester, Birmingham, Liverpool, Norwich, Sunderland, Dover, Chelmsford, (in Essex,) Newcastle-upon-Tyne, Sheffield, Bury, Halifax, Exeter, Plymouth, Chester, Cambridge, Coventry, Oldham, and many of the smaller towns. That, the publisher of the pamphlets, Mr. Stockdale, was the person to

give any information respecting the days of meeting, names of the masters, &c., &c., to any Orangeman, or person desirous of becoming one.

“That provision was likewise made for establishing district lodges; and *regiments, being considered as districts*, the masters of all regimental lodges were to make half-yearly returns of the number, names, &c., &c., of the members of their respective lodges, to the secretary of the grand lodge.

“And in these military lodges (in utter defiance of all discipline and regulations whatsoever) officers, non-commissioned officers, and simple privates were to meet upon a footing of equality!

“The organization of those societies was announced in all the papers, especially in those which were known to be under the control of the government; accounts respecting them were constantly circulated in different parts of the country; extracts from their proceedings were copied from the provincial prints, and names of high rank had appeared among the lists of the members, without any attempt at contradiction,” &c., &c. . .

The motion was met by the ministry by a faint acquiescence, that there was illegality in some of the Orange proceedings, and a suggestion to let the matter rest in their hands for inquiry. This was attended to, and the matter dropped.

The treasonable design, which was detected, and, by early detection, crushed in 1835, to set aside the succession to the throne, by means of the Orange confederation, had, therefore, its example and prototype in the designs and attempts of 1813. In 1813, the Duke of York was the object, and the personage to be set aside was the Princess Charlotte. In 1835, the Duke of Cumberland was to have been preferred to her present most gracious Majesty, then the Princess Victoria.

Both infamous treasons—the more infamous, because of the characters of the men whom they would have put upon the throne, to the exclusion of the virtuous and beloved princesses, in whom the right lay at the different periods, were the foul concoctions of men boasting of their loyalty, and praised in parliament by Peel, as being, above all things, remarkable for even an excess of that quality.

The board met on the 3rd of July, for their usual weekly meeting.

Mr. O'Gorman, in reference to the recommendation he had moved at the aggregate meeting, that the Catholic board should consider of an appeal to the Spanish cortes, for their interference with England in favour of the Catholics, said that his motion had been deemed of so novel a character, that he thought it necessary to hunt for precedents to sanction it.

Of these he stated he had found *four*, perfectly apposite and analogous, and expected to be fortified with more, if he could obtain a week's delay, which he accordingly requested of the board to allow him.

"Mr. O'Connell had no doubt that his learned friend would be able to find precedents in abundance, and produce other arguments in sufficient number to justify and recommend his motion.

"The government of England had, more than once, recognized the principle of interference with foreign powers being admissible, and often expedient. When the inhabitants of Flanders had complained to them of the aggressions of the court of Spain, they not only listened to them with approving attention, but actually furnished them with arms to resist the oppression which aggrieved them.

"The Catholics of Ireland do not require of the cortes to go entirely so far as this, for they want no arms to enforce their rights, but they require of them, sanctioned by the example of their ally, England, to give oppressed Ireland their sympathy, and any benefit that can result from a dispassionate remonstrance on their behalf.

"The efficacy of an appeal to foreign powers, he thought, was eminently established, by the successful interference of Cardinal De Fleury, on behalf of the Catholics of this country. The humane parliament of Ireland, it was known to all who heard him, had, for the pure honour and glory of religion, and the interest of the state, resolved upon the very commendable and Christian expedient of emasculating the Irish priests. A bill for this wise, laudable, statesmanlike, and manly purpose had passed the Irish Commons, and had passed the Irish Lords, and it was sent over to England for final sanction and approval. The poor people of Ireland, however, bereft of all other succour, in such a harrowing and soul-inflaming moment of their degradation and debasement, contrived to have an application

made to the famous French minister, De Fleury, for his intercession on their behalf. The appeal was timely and successful. The barbarity was averted, and the tender-hearted and feeling Lord Lieutenant of the day, had the painful duty of informing the dutiful and loyal parliament, that their wise and praiseworthy intentions could not be carried into effect.

"This precedent, among others, Mr. O'Connell thought was decidedly recommendatory of Mr. O'Gorman's intended resolution.

"Mr. O'Gorman observed that he had this precedent in his list. Leave was given for the postponement.

"IRISH MANUFACTURE.

"Mr. O'Connell gave notice of a motion, which he intended to make on Saturday, disqualifying any member from sitting or voting in the Catholic board, after the 1st of August, if not habited in Irish manufacture.

"This notice was deservedly received with peals of applause.

"DOCTOR MILNER.

"Mr. O'Connell observed that this was the day appointed by adjournment for the consideration of his motion of thanks to the Right Rev. Doctor Milner. He thought it, however, quite unnecessary to occupy the time of the meeting, by making any formal motion after the resolution of the aggregate meeting; and he would, therefore, dismiss his notice as superfluous.

"This was unanimously assented to.

"CATHOLIC BISHOPS.

"Mr. O'Connell said, that as he was on his legs, and had, in some measure, drawn the attention of the meeting to the Irish prelacy, he could not avoid noticing a speech which was delivered on Wednesday last, at a public dinner in Cork, by a near and dearly beloved relative of his, and a high and distinguished ornament of the Catholic church, he meant Doctor Sugrue. (Loud applause.)

"The dinner was given to compliment this pious and venerated pastor, as well as Doctors Moylan and Coppinger; the guests were composed entirely of Catholics—considerably of Catholic clergymen;

and the following were the admirable sentiments uttered by Doctor Sugrue, as given by the *Cork Southern Reporter* :—

“Toast—‘The Roman Catholic clergy of Ireland—May they never forsake their flocks, nor be forsaken by them.’—Three times three.

“Dr. Burke returned thanks.

“Dr. Sugrue rose and said, he always *thought* he had an Irish heart—to-night he *felt* he had one. The Irish people were always loyal to their God; how then could they be disloyal to their country? Perish, then, those degrading suspicions which are entertained of them. Was it possible that they who had been loyal under persecution, would be disloyal when there was nothing to complain of? We have already given our oaths, and, if they are not to be credited, why enact new ones? You all know if the Pope was inclined to do mischief he could not, and if he was to go beyond his authority, which is purely spiritual, you would be bound to disobey him.

“There is no room for the alarm that has been spread, nor is there any foundation for the assertion that has been used, that the Catholic bishops are averse to concession. They had already given their oaths, and their past lives were the best guarantee for their future conduct. They were prepared to conciliate—the safety of their religion was their only object, but they would not enter into a barter subversive of its tenets and repugnant to its discipline.

“This great cause, however, was rapidly advancing to success. The rank and talent of the nation were ranged in its behalf, and before them the twilight of bigotry must fade. In the language of one of their most celebrated advocates, ‘as well may it be attempted to place a foot upon the centre of the earth, and stop its diurnal motion, as to endeavour to retard the progress of the right reasoning and philosophy which had been urged upon this eventful subject, and which must finally ensure its success.’

“SUBSCRIPTIONS.

“MONAGHAN OUTRAGES.

“Mr. O’Connell next spoke of the recent violences in Monaghan.

“He alluded, in earnest terms, to the great necessity there was of making some fund for the purpose of seeking legal redress against the cruel oppressions practised against the Catholics, and stated that

there had been recent accounts, as was mentioned in the *Freeman's Journal* of that morning, of fresh Orange atrocities in the same county.

‘DINNER IN DUBLIN.

“Mr. Randal M'Donnell suggested votes of thanks to Grattan and their other friends, and a public dinner to them as early as possible.

“Mr. O'Connell cordially adopted the idea of his much respected friend; he thought it would be useful to the cause of Ireland, that another great meeting of the advocates of religious liberty should take place, and no period could be more timely for the presentation of the address of thanks than when Mr. Grattan and the other members of the Imperial Parliament, whose company might be procured, had assembled in town.

“The address will, of course, have a general application, and it might be made a medium of giving Mr. Grattan and his patriotic colleagues, a due impression of such mistakes as they might have fallen into during the late struggle, relative to the precise expectations and wishes the Irish people entertain on the subject of their emancipation, and the only terms on which they would accept of it.

“Major Bryan asked, was the compliment to include Lord Castle-reagh, as a supporter of emancipation?

“Mr. O'Connell—I have been speaking of friends—I could not, therefore, mean to include enemies.”

In pursuance of the suggestions which had thus been thrown out by Mr. M'Donnell, and so well received, it was proposed that there should be nominated a committee to prepare the address; and also to make arrangements for the dinner, and Mr. Scully's name was called. Mr. Scully declined acting on the committee, having much difficulty as to the expediency of the address that Mr. O'Connell had in view.

To a simple address of thanks he, of course, had not the slightest objection; but he thought the recent proceedings of the Catholic board gave too distinct and unequivocal a portraiture of their precise feelings and sentiments, to render any additional explanations necessary.

Mr. M'Donnell thought this another reason why Mr. Scully

should sit on the committee, and accordingly he and the following gentlemen were appointed:—

Mr. M'Donnell,
Mr. O'Connell,
Dr. Dromgool,
Mr. Finn,

Mr. M'Carthy,
Mr. Mahon,
Mr. Blake,
Mr. Callanan

IRISH MANUFACTURE.

Mr. O'Connell gave notice of a motion, rendering it imperative on all gentlemen to come dressed in Irish manufacture from the first of August.

Mr. Richard O'Gorman said that his learned friend had anticipated him; but though it so happened that he could not be the mover of this most praiseworthy resolution, he intended for himself the great satisfaction of being its seconder.

On Wednesday, July the 8th, 1813, the case of Mr. John Magee (proprietor of the *Dublin Evening Post*), the gentleman so warmly spoken of in the last speech of Mr. O'Connell at the aggregate meeting, was again before the courts.

Mr. Finlay applied for a postponement until some day in the following Michaelmas Term; on the ground of the absence of several parties, without whose attendance the defendant was advised that he could not safely proceed to trial, viz.

Sir Charles Saxton, late Under-Secretary at the Castle,

Right Honble. William Wellesley Pole, late Secretary for Ireland,

Robert Peel (or *Peele*, as then spelt), then Secretary for Ireland; and

Right Hon. William Fitzgerald (since Lord Fitzgerald and Vesce), Chancellor of the Irish Exchequer.

With Mr. Finlay, were Messrs. O'Connell, Wallace, Hamilton, and Charles Phillips.

The counsel against Magee were:—Saurin, the Attorney-General, Bushe, the Solicitor General (late Chief Justice Queen's Bench,) Sergeants Moore (late Judge Moore), Ball, and M'Mahon (late Sir William M'Mahon, Master of the Rolls).

The Attorney-General strongly resisted the application, which he characterized as "idle and silly."

After a good deal of personal invective against the defendant, he said: "My lords, you will be shocked to hear that the defendant is indicted and charged, by this indictment, with charging his Grace of Richmond with being a murderer."

"Mr. O'Connell—I must, my lords, interrupt Mr. Attorney-General, intending him no disrespect. He now purports to state matter which is contained in the indictment, but he has not given any notice of using it upon this motion. So that we are not prepared to correct, by the attested copy, any misstatements that he may choose to make of its contents.

"The Chief Justice allowed the Attorney-General to proceed.

"The latter urged that it was idle to expect Sir Charles Saxton and Mr. Wellesley Pole to return to Ireland, they having no private affairs, nor fixed residence here, and being out of office.

"That if Mr. Peele and Mr. Fitzgerald were not arrived on the day he had fixed for the trial, he would consent to a postponement until the 20th instant; and if they were not in Ireland even by that day, it would, of course, be in the hands of the Court to postpone until November.

"Mr. O'Connell said, that as leading counsel for Mr. Magee, it was his duty to reply to the Attorney-General.

"I am, indeed, said he, at a loss to discover what it is I am to reply to!

"I have heard from him abundance of confident and unfounded assertion, but a total want of anything resembling reason or argument; with his style, it is beneath me to quarrel; but with the manner in which he has treated my client and the Court, I have just reason to be dissatisfied.

"Against every principle of law and reason he pronounces my client guilty before trial; he anticipates conviction, and exults in the prospect of inflicting punishment with as much gratification as if he were, at the moment, in the actual enjoyment of so doing. And he has dictated to the Court that which involves a direct contradiction of its former decisions.

"I did interrupt him, my lords, and I was right to interrupt—

first, because he made use of a document, namely, the indictment, of which, in point of form, he could make no use on this motion, because of not having given any notice of using it. Secondly, because he wilfully misstated and misrepresented that indictment.

“He has told me that my assertion is absurd. It is not a polite mode of reply, but he does say that my assertion is absurd. I wish to be lenient to him, but I am compelled to prove that his assertions are disgraceful to him, because directly contrary to the fact!

“He has told you that Mr. Magee is indicted as the printer of a newspaper. My lords, the fact is otherwise. Mr. Magee is *not* indicted as the printer of any newspaper. He has told you that Mr. Magee is indicted as the proprietor of a newspaper. My lords, the fact is otherwise. Mr. Magee is not indicted as the proprietor of any newspaper. And the Attorney-General has also told you that Mr. Magee is indicted for charging the Duke of Richmond with being a murderer. The truth is not so—the truth is otherwise. Mr. Magee is *not* indicted for charging the Duke of Richmond with being a murderer.

“Will it then be said, that it is absurd to endeavour, by interruption, to prevent the Court from being imposed upon by so glaring and disgraceful a misrepresentation of the facts? If so, this is an absurdity which I am proud of committing.

“After this preface, extorted from me by the arrogant manner of the Attorney-General, I beg to call the attention of the Court to the motion.

“It is really a motion of course, if the documents be sufficient. Now, upon the 13th of May last, the Court decided upon debate; and, notwithstanding the opposition of the Attorney-General, that those documents *were* sufficient. That determination was founded upon good sense, and upon admitted principles of law. The ingredients of a motion to postpone a trial are these:—First, that it be sworn that witnesses are material and necessary; secondly, that they have been served with process to compel their attendance; thirdly, that they are prevented from attending by reasons of a temporary nature; and, fourthly, that there is a reasonable expectation and a prospect of their attending upon a future day. All these ingredients belong to the present motion.

“1. It is sworn that the four witnesses are material and necessary.

“2. That they have been served with process.

"3. That they are detained in England by parliamentary duty, and appear to be protected in their absence by their parliamentary privilege.

"4. And that there is every reason to expect their attendance by the first day of next term

"Upon these grounds, common sense tells you that a trial ought to be postponed; and upon these grounds the law says it must be postponed.

"Has any man denied that this is the law? Will any man presume to deny that this is the law? If he do, my lords, I will cite a case directly in point to sustain my allegation. I will not search for it in the blue-paper books of stupid reports, which every packet brings us—the English Court of King's Bench contradicting their Court of Common Pleas, and each of those courts most impartially contradicting itself—reports that involve present litigants in an inextricable maze of controversy, and will entail upon posterity the curse of still more uncertain and more interminable litigation. I cite not any of these cases. I cite the case of *the King against Magee*. The identical case decided by your lordships on the last day of last term. Upon the very documents which I use now, you then decided, that it was the duty of the Court, and the right of the party, to have the trial postponed. Then, as now, the Attorney-General exerted himself to have Mr. Magee tried in the absence of his witnesses—then, as now, he gave you assertion instead of argument—abuse instead of logic.

"Does he expect that this Court will contradict itself? Shall it be said, that the highest criminal court of justice in the land has decided the same question in two different ways?—that on the 31st of May, they decided on the same documents and between the same parties, that the trial should be postponed; and on the 7th of July, upon those very documents and between those very parties, that it should *not* be postponed? Does the Attorney-General expect that the Court will involve itself in this plain and manifest contradiction?—that it will this day decide one thing, and to-morrow decide exactly the reverse?

"In his unfeeling, unjust, and unconstitutional anxiety to try Mr. Magee, at a time when his witnesses are absent, the Attorney-General cares little for the character and dignity of the Court. His only object is the gratification of a malignant spirit of revenge, which

the Court will, as it ought, feel a pleasure in counteracting, when at the same time it vindicates its own consistency.

“But, my lords, there is, in fact, a difference between the present application and the last, precisely because our case is stronger in the present instance than in the former. Then, my lords, we could have made but one attempt to procure the attendance of those witnesses. Now we show you many exertions to procure their attendance. Our diligence was less on the former occasion—it is now greater; and is it possible to conceive anything more absurd than to expect that the Court will, at the request or upon the dictation of the Attorney-General, now refuse that to a stronger case, which the Court, on the last occasion, conceded to a weaker and less powerful case. The administration of justice would fall into great disrepute, and the law would be a mockery, if that which was deliberately decided on the 21st of May should, by the same judges, upon a stronger and a better case, be reversed on the 7th of July.

“I feel, my lords, that it is impossible that such an example of inconsistency and want of principle in decision, can be sanctioned for one moment by the Court, however ardently sought for by the Attorney-General. Thus stands the case upon our affidavits. You decided with us before; we only require a repetition of your decision.

“But, it is said the case is different now—that there is now an affidavit made on the part of the Crown, which will warrant the Court in departing from its former rule. This I must altogether deny; and I am prepared to show you, first, that you cannot read that affidavit at all; secondly, that even if it were read, it would furnish no grounds for resisting our motion. This affidavit cannot be read, because the person who makes it shows no connection with the court or the parties. He furnishes no description of himself—no reason to account why he should throw an affidavit on your files; he calls himself James Murphy, of the city of Dublin; but which of the thousands of Jemmy Murphys who people Dublin, you have no means to ascertain; whether he belong to Channel-row or Kildare-street, you cannot conjecture; if he be gentleman, esquire, knight, or baronet, attorney, doctor, grocer, or merchant—all this is concealed from the Court: he states himself to be ‘James Murphy,’ of the city of Dublin, and no more. This affidavit has been made deliberately and advisedly. It has been filed by the active and intelligent Solicitor for the Crown. It has been advised, of course, by some or all of the wise, grave, and

learned phalanx of counsel for the prosecution. Why, then, is the swearer concealed? Let them give us a reason for introducing a nondescript to the court. Oh! he is safe—this James Murphy is! How can we detect—how can we punish him for perjury? Where shall we look for him? How shall we identify him? If the Court receives this affidavit, it holds out an indemnity to perjury—a protection against discovery, to fabrication and forgery.

“The prosecutors have not, however, the merit of invention; they only imitate. The original example of setting at defiance was given them by the contrivers of a public document, presented to an honourable assembly, subscribed in many a forged and fictitious name, by rendering detection difficult by its uncertainty: to that document were affixed four and twenty Armstrongs, all ‘of the city of Dublin.’ Thus may every species of imposition, of perjury and of forgery be committed, if not without disgrace, at least without punishment. This affidavit cannot be read, because it is the affidavit of a nondescript. The rules of the court require the particular description of every man who comes forward to give his written testimony on oath. Here is no description; you must, therefore, reject this affidavit. Again, it is a ruled case that no affidavit can be read, unless the person shows some acknowledged connection with the court or the cause. Thus, in the case of *Sullivan v. Margill*, reported in 1st Hen., Black. 637, an affidavit was made to postpone a trial. The affidavit stated quite a sufficient case for that purpose, and the trial would have been postponed accordingly, but that it was discovered to have been made by the clerk of the defendant’s attorney, describing himself as such. My lords, the affidavit was rejected, and the motion refused *on that account*. It was rejected and refused, because the Court would not recognise any connection between the attorney’s clerk and the court, or the cause entitling him to make an affidavit in the cause. See how much a stronger case the present is for rejecting this affidavit. There the man who made the affidavit was an ascertained person, and actually employed as the assistant of the attorney of the defendant. Here the affidavit-maker is unknown, and does not appear to have any connection whatsoever, even with the attorney. If the Court in that case, which has ever since been recognised as law, refused to hear a person who certainly had some, though a remote connection with the cause and the parties, how can you hear a mere volunteer, who has no connection, remote or otherwise, either with the court or the parties?

“It follows, in point of convenience, good sense, precedent, justice, and law, that this affidavit must be rejected. But let me concede that, notwithstanding all those, it may be read. What advantages can it afford? What difference can it make in the case? You may, then, see what it is that James Murphy, whoever he be, and I care not who he be, swears. He tells you, upon his oath, that he believes that Saxton, who has sought and won the unpurchasable suffrages of the ancient and loyal corporation of Cashel, does not intend to grace Ireland again with his presence; that Mr. Wellesley Pole, the representative of the Queen’s County, does not, as this worthy Jemmy Murphy believes, possess any residence in Ireland, nor does he intend, as the said Murphy believes, to return here; and he then swears that he believes Mr. Robert Peel intends to come back, and that Mr. William Fitzgerald intends to revisit Ireland shortly. And can this ludicrous—this nonsensical affidavit—this affidavit, that in every re-statement of it excites the laughter and contempt of every person who hears it—can it be gravely urged, as affording a shadow of excuse for requiring of you to change your pronounced and solemn opinion on the subject of this trial?

“It is, my lords, worse than no excuse; it tends to render the administration of justice ridiculous, to urge it, or to argue upon it. But the Attorney-General is so very desirous to have this trial take place before the witnesses for Mr. Magee can attend, that I must be indulged in a short comment on this affidavit. One can easily perceive that it is a bungling and slovenly attempt to produce some similarity between his case and the case of the King v. the Chevalier D’Eon, the 3rd Bur. 1514; and as, in that case, the Court refused to postpone the trial, although the witnesses were absent; so it is hoped that your lordships will, on the authority of it, refuse to postpone this trial. But examine the facts, and you will see that case cannot furnish any rule to govern this. In D’Eon’s case the witnesses were natives of France, and resident there; they were in the service of the crown, and as the French court was interested in the prosecution, they would not even be permitted, if they were willing, to come over. There was no probability, therefore, of their future attendance; on the contrary, there was a certainty that postponement of the trial must be useless, as those witnesses could never attend.

“One regrets, indeed, that Lord Mansfield suffered himself to be swayed even by so plain an argument, when the case afforded a principle upon which the trial might, and ought to have been postponed.

It was this: The French king was, in fact, the prosecutor; it was at his instance the prosecution was instituted; yet he it was who detained the witnesses. It seems that it would have required but little of the indignant spirit of liberty, which the constitution requires from its judges, to have enabled Lord Mansfield to have decided that he who prosecuted should not be permitted to prevent a fair trial; that if he detained the witnesses, the Court would postpone the trial, so as to attain justice—not as our Attorney-General desires to go on, merely to procure punishment. No; Lord Mansfield was not a man calculated to disappoint power of its prey, and he refused to postpone the trial.

“Let the Attorney-General, then, make the most of his precedent. D'Eon's case does not resemble ours—the witnesses were in France, out of the jurisdiction; ours are in England, within the jurisdiction of the authority of your process. His witnesses were beyond the reach of punishment for any disobedience of the process of the English courts; our witnesses are liable to punishment if they disobey your process. His witnesses could not be compelled to attend; our witnesses can, and, when parliament rises, will be compelled to attend. His witnesses would not be permitted to leave France; no man can prevent our witnesses from leaving England and coming here. The Duke of Richmond, who, one may venture to hope, has no anxiety to prevent a fair trial, and Mr. Attorney-General, who clearly does wish to prevent a fair trial, cannot exclude our witnesses from Ireland, nor detain them in England. In D'Eon's case, the postponement he required would have been nugatory; he had no prospect of procuring his witnesses, even if the time he asked had been granted. In our case, the postponement gives us a certainty of procuring the attendance of our witnesses. D'Eon's case can, therefore, furnish no rule to regulate this case; which, so far from being like D'Eon's, is precisely the reverse.

“Mr. Justice Day.—The cases, certainly, are not alike, as you put them; and your distinction is founded, if you can show us how you can compel the attendance of English witnesses here.

“Mr. O'Connell.—There is no difficulty in that, my lord. Their attendance can be compelled, under the provisions of the 45th of the King, c. 84. An act passed for the amendment of Judge Johnson's Act. In Judge Johnson's case, the gross and glaring inconvenience and injustice which would manifestly arise from taking a man from the place where he had really done any act to a place where he had

offended only constructively—to a place where, though he might be transported himself, he could not compel the attendance of his witnesses. This injustice was so forcibly felt, that the legislature interfered, and softened, in some degree, the injustice of the first statute, by the act of, the 45th of the King, which gives a power to the Irish and English courts of criminal justice reciprocally to enforce the attendance of witnesses from one kingdom into the other. The provisions of the statute are express, and include all cases.

“And thus, my lords, by your lordships’ confession, I have distinguished this case from the authority of D’Eon’s case. There is, therefore, not a shadow of reason, authority, or law for refusing this postponement, until we can procure our witnesses. Even the Attorney-General admits it, when he concedes that the trial shall stand over until Mr. Peele and Mr. Fitzgerald shall arrive. So far he cannot controvert our request.

“But, as to Sir Charles Saxton and Mr. Pole, he says the case is different. In what is the case different? Simply and singly in this, that the Attorney says so—in nothing else. Oh! but, perhaps, Mr. Peele is a man after Mr. Attorney-General’s own heart and that Mr. Pole is not. I know of no other difference; and I really disdain to argue a topic in which I have not a particle of common sense to contend against, and nothing to oppose but the *ipse dixit* of the Attorney-General. Mark the sapient, the admirable distinction of this wise and grave personage. He tells the Court that the trial ought to be postponed till Mr. Peele and Mr. Fitzgerald arrive; but that it ought not to be postponed till Sir Charles and Mr. Pole arrive. What am I to combat? Upon what is the Court to act?—Upon the high will and pleasure of the Attorney-General? Really, my lords, I should fear to insult your understandings by detaining you in exposing the idle and extravagant nonsense which attempts to distinguish between two of the witnesses, for whom it is admitted the trial must wait, and for two others of them for whom it is insisted that it shall not wait. It would be better to decide upon avowed caprice, or the hazard of a die, than upon this wretched distinction, without the shadow of difference.

“I conclude, my lords, by merely stating to the Court what it is we want. It is merely to postpone the trial until the termination of the session of parliament shall have deprived our witnesses of all excuse for non-attendance. It is not suggested, even upon the faith or the credulity of this James Murphy, that Mr. Magee has any intention of

cluding a trial or of preventing the due course of justice. Murphy's paltry affidavit does not presume to suggest that which is so manifestly contrary to truth.

"Mr. Attorney-General, indeed, of his own authority, tells us that we desire to postpone the trial *under the pretence* of wanting witnesses, whilst in fact we do not want them. I tell him he mistakes or misrepresents. We do not seek to put off the trial *under any pretence*. We desire to put it off *for the purpose* of procuring a fair and impartial trial, and a full investigation of all the facts of our defence. We desire a fair trial—the Attorney-General requires a trial in the absence of our witnesses. The Court will decide between us; it will decide as it has already done: and, perceiving that as great injustice and oppression must follow from complying with the Attorney-General's request, whilst no unfair advantage can be obtained by our motion, it will again decide that the trial shall be postponed, until the cause of the absence of our witnesses is removed.

"The Solicitor-General rose and said, that it was possible all the witnesses might be able to attend on the 20th; that he did not desire any order inconsistent with a full, fair, and impartial investigation of the merits—God forbid he should! He would, therefore, propose, that the trial should now stand postponed generally till the 20th; and if then it should appear that *any* of the witnesses were prevented from attending, the Judge at Nisi Prius would, and he admitted ought to, postpone the trial till the next term.

"Mr. O'Connell declared his perfect satisfaction at what had fallen from the learned Solicitor-General; and a rule was pronounced accordingly. Thus has the object of the motion been completely obtained."

The sensation that this encounter between Mr. O'Connell and the Attorney-General created with the public, can be best described by quoting from an article in the *Dublin Evening Post* of a few days subsequent:—

"The government prints are loud in their complaint of the Chief Justice (Downes). They say that he is 'CUSTOS MORUM,' and *should have shielded the Attorney-General from the late severity of Mr. O'Connell!*

"We differ in our opinion from the scribes of Mr. Saurin.

The Chief Justice and the entire bench acted with the impartiality which becomes their situations. No doubt they felt for Mr. Saurin—for the miserable situation into which he had brought himself; but though they might feel for him, they could not protect him.

“Mr. Saurin was himself to blame for what he suffered. He persevered in a ridiculous and oppressive opposition, after the unanimous disapprobation of the Court of King’s Bench, previously expressed. He wished to bring the proprietor of this paper to trial in the absence of material witnesses. Law, reason, and humanity were against the Attorney-General.

“Mr. Phillips briefly but forcibly stated the application. The Attorney-General opposed it in a long ‘law argument.’ He cited the case of the Chevalier D’Eon. There was not a *point* of resemblance between the case of the Chevalier D’Eon and the King against Magee. The Court of King’s Bench observed, with pain, the Attorney-General floundering through his lengthy drawl. If Mr. Saurin will not put ideas in his words, he must not complain that he does not influence the Bench. Mr. Phillips, a very young man, made the application within the space of seven minutes. Mr. Saurin took forty-five minutes to reply to him! The Bench did not think it necessary to hear any one in reply to Mr. Saurin. He had sufficiently answered himself. They ruled against him *unanimously*, and granted the motion of Mr. Phillips.

“This was a strong rebuke to Mr. Saurin. It is always a strong rebuke to a lawyer, when the Court, after a long speech, decline to hear any reply, and rule against him *instantly*, and unanimously. Why did not the Attorney-General profit by this rebuke? He did not; but renewed his opposition. He calls upon the Court to reverse their own decision; and, because they will not, his scribe assaults the Chief Justice through the columns of the *Patriot*!

“Mr. Saurin and his scribe complain of harsh treatment and ‘*ungentlemannee*’ conduct! Many a time has the interest of a client been sacrificed to what is called ‘*gentlemannee*’ conduct. Mr. Saurin ought not to complain. Mr. Saurin is a man of a very mild demeanour; and yet he has said as many wicked things, as many harsh and severe things, as any man now in Ireland. No man should be more slow in getting into a warm altercation than Mr. Saurin, for no man is less able to take himself out of it. When he gets angry, he is unable to conceal or express it. He should never assault, for he cannot defend himself against retort.

"Mr. Saurin ought to bear his late sufferings—he ought not to complain of them. *He began—he* gave the provocation. He said, on the first motion, that Mr. Magee had sworn *rashly*, and that it was *nonsensical* in his lawyers to advise him that those witnesses were material. All this was very wrong in Mr. Saurin. Is no one to have feelings but him? Shall there be no sympathy but for Mr. Saurin? Must Mr. Magee and his bar of lawyers quietly lie down under this imputation? No; it was answered by Mr. Finlay. On behalf of the bar who advised Mr. Magee, he said that 'any man of that bar, the humblest man of that bar, was as incapable of advising any man to the crime of swearing a rash oath, as the Attorney-General himself.' And, with respect to Mr. Magee, he said to Mr. Saurin, that in the purest hour of his life, he, Mr. Saurin, was as capable of swearing a rash oath as the man against whom he had directed the unworthy and groundless imputation!

"Was the Court to interfere for the protection of the Attorney-General, against an attack provoked by indignation, at his presuming to set up his own assertion against the uncontradicted oath of a respectable gentleman?

"Mr. O'Connell objected to his using the indictment on the motion, because the crown had given no notice that they would make use of that instrument, and of course the defendant was unprepared with a copy in his hands to correct any misstatement which the Attorney-General might make. But when the Attorney-General *did* begin to quote from the instrument, why should he not have made his quotations fairly and truly. He said Mr. Magee was indicted as proprietor of a newspaper. Mr. O'Connell denied the fact, and appealed to the *indictment*. The Attorney-General said that he was indicted for calling the Duke a *murderer*. Mr. O'Connell denied the fact, and appealed to the *indictment*. Does Mr. Saurin's station give him a patent for asserting things not true? And must it be deemed insolence in others to bind him to the law and the fact?

"The Court *could not* have protected Mr. Saurin, because, in the honest feeling of impartiality, they felt that he deserved more than he suffered, and that *he had provoked* all that he had received."

Symptoms of more divisions among the members of the board showed themselves on the 10th of July, when letters were handed in by the secretary, Edward Hay, from Francis Goold

and Mr. James O'Gorman, which were understood to contain personal attacks.

On this ground, Mr. Mahon objected to their being publicly read.

“Mr. O'Connell said, that if the fact was as had been stated (but he was very loth to believe that these letters of Sir Francis Goold and Mr. James O'Gorman contained attacks upon individuals), they ought not to be published without having undergone a previous inquiry. For Mr. O'Gorman he had a very sincere regard, and claimed his friendship; but on a general principle he made this objection. The principle was this, that if any person were at liberty to attack others by letter, it might be done with impunity. A person in India, for example, might thus assail either of those gentlemen, the learned baronet or Mr. O'Gorman, or any other member of the board. The individuals thus attacked would have no opportunity of righting themselves, by inflicting that chastisement which an unfounded and insolent letter might merit. (Applause.) It was on this principle, and without any allusion to the present letters, that he would support Mr. Mahon's motion.

“Mr. O'Connell took the present opportunity to state a fact which had just come to his knowledge. The question of religious liberty had been debated in the Presbyterian Synod of Ulster a few days back; it was introduced by that venerable and enlightened advocate of liberty of conscience, the Rev. Steele Dixon; and, after a full and ample discussion, it was carried with the most perfect triumph.

“One hundred and thirty of the clergy and elders of the Presbyterian Church, loudly and unanimously declared themselves in favour of extending religious freedom to every man; eight only opposed it, and those eight have since expressed their regret, that motives of respect and difference for the opinions of some noble lords, &c., (motives with them) had been the occasion of their opposition, but that in sentiment they fully accorded with the majority. Therefore, the transactions of that day must be considered a great and signal triumph, not simply for the cause of the Catholics, but for that of all those who suffer for a conscientious adherence to the creed they believe best.

“He would prefer giving notice of a motion of thanks to the Synod, to be passed next Saturday, to proposing it at the present moment,

though he was certain if he were to do so, it would be carried with acclamation, and no person found to enforce the standing order; but he chose to postpone it till next meeting, that it might come with that dignity and weight, which a regular notice and a week's deliberation would bestow upon it. (This notice was received with the loudest approbation.)

“Mr. M'Donnell brought forward an address to Henry Grattan.

“Mr. O'Connell fully agreed in the principle of gratitude to Mr. Grattan which the address conveyed; but at this moment above all others, it was necessary that they should be distinctly understood. He said it came highly recommended when offered by the most respectable gentleman who had proposed it, but still there were some phrases in it which, he was bound to say, he could wish to see altered.

“We could not (he continued) be sufficiently profuse in the expressions of gratitude and veneration for that distinguished character. It was impossible to do justice to a name which was the boast and glory of every Irishman. (Hear, hear.)

“The splendour of Grattan's talents had been eclipsed by the noble integrity of his heart; and he was the brightest ornament of his native land, which he had so eminently served. If she had fallen again, and had again to commence the career of national freedom, no fault could be attributed to Henry Grattan, who had waked her first to independence, and fought the manly and the good fight for her liberties. His eloquence could never have been equalled; but if the other anti-Unionists had equalled him in other points—if they had caught one spark of his valour, Ireland would not now be a province, nor would stupidity and heavy ignorance have battled their way to judicial station, and profited by the extinction of our country!

“With these sentiments warm and glowing in my breast, I have at the same time another duty—a more sacred duty—the duty I owe to Ireland.

“It consists in *having* her cause—for the cause of religious liberty is her cause—brought forward in the only manner that can be deemed compatible with our interest, and with our honour. I do, therefore, with great respect, beg leave entirely to controvert the assertion of my friend Mr. M'Donnell. I beg leave to *deny* that Mr. Grattan has done the best he could for us, during the present session.

“Was it the best to agree to the double Veto? Was it the best to consent, that the secretary's clerk at the Castle should have the nomination of the hitherto, and now venerated and venerable prelacy

of Ireland? Was it the best to talk of securities? To countenance that insult alike to our understandings, and to our hearts—that insult which says, that in subjection and in degradation, the Catholics will continue faithful, but that from participation in the benefits of the constitution, disloyalty is to ensue—and hence, that ‘securities’ are requisite!!

“I will not follow this exasperating topic; but I will say, that the sacred duty that I owe to this *‘mine own, my native land,’* impels me to say, that Henry Grattan was greatly and grievously mistaken in this session of parliament.

“I only require that we should reconcile these concurrent duties. Let us thank Grattan with all the veins of our hearts, but let us not use a single expression which can, by any construction whatsoever, be tortured into any approbation of the late very mistaken and mischievous bill. I do not require, nor would I consent, that any trace of ill-humour or reproach should be found in our address; but I would wish that you should suggest to him his former glories in the cause of ‘SIMPLE REPEAL,’* and entreat of him, again to adopt for the motto of his country, and her watchword in the war of parliament, ‘SIMPLE REPEAL!’ (Cheers.)

“I am anxious to infix this truth on the minds of all our parliamentary friends, that it is for the great principle of religious liberty that we contend, and not for individual advantages to the Catholic body. Let the sentiment be the main idea of every address, as well as of every petition; and though we may be defeated, we shall never again be disgraced!

“I would, under these circumstances, earnestly press upon my esteemed friend to postpone the address to Mr. Grattan for the present; to consent to have it referred to the sub-committee, in order to have it modelled upon the principle and in the manner that I suggest. It will not be the less complimentary to Mr. Grattan for being the work of deliberation, and it clearly will be more useful and more honourable to ourselves.

* Alluding to the discussions of 1782, when the question was, whether the Irish parliament would consider its independence sufficiently vindicated, and asserted by the mere repeal of the Act of the English parliament in the sixth year of the reign of George the First, by which the latter claimed and usurped legislative authority over Ireland, or whether an express renunciation of this usurped legislative authority should be insisted on.

Grattan was for “*simple Repeal*,” Flood for the *express renunciation*. The first was obtained in 1782, and the second, the year after, viz., 1783, by the 23d George III., chapter 28, declaring our legislative and judicial independence “ESTABLISHED FOR EVER”!!!

"Upon this subject let us not have—I trust we shall not have—any division. Our country has suffered for centuries from degradation and oppression, brought on her, and perpetuated by her internal divisions. First, the Irish were divided amongst themselves; then the English were divided from the Irish; then followed the long-cherished divisions between the Catholics and the Protestants; and now yet another division is encouraged by the government. Every individual in the Catholic body, whom the administration can influence, either directly or indirectly, is separated from the Catholic prelates and the people. An endeavour was made to control us; it failed, and now the plan is secession. For my part, I rejoice at the secession of those who desire to gratify themselves, and not to serve their country.

"But whom do we miss? I do not perceive the deficiency. Our meetings, as it appears to me, have never been so crowded with the health, and strength, and independence of the body, as since the last and poorest attempt to stay our majestic onward course towards the temple of concord and freedom. (Cheers.)

"Let us, then, concur in the two leading features of this address—gratitude—eternal gratitude to Grattan; fidelity—unalterable fidelity to our country." To combine both, I move that the address which has been this day brought forward and read by Mr. M'Donnell, be referred to the sub-committee to report upon this day week."

After a conversation of some length between Mr. O'Connell and Mr. Mahon, Dr. Dromgoole and Mr. O'Gorman, this was agreed to, as were also resolutions to postpone until December, the intended dinner to the friends of religious freedom, and to thank the Duke of Sussex for his opposition to the Orange organization in England.

"IRISH MANUFACTURE.

"Mr. O'Connell brought forward his promised motions on this subject. They are three in number. He prefaced each resolution by appropriate and pointed observations.

"The first resolution is, that no member be allowed to speak or vote at the board after the 1st of August, who shall not be clothed in Irish manufacture.

“ The second, that the ladies of Ireland be entreated to encourage the wear of their native manufacture, and not to introduce any other.

“ The third, that a committee of seven be appointed, for the purpose of calling upon the Protestant gentlemen of the country to form ‘*An Association for the encouragement of consumption of Irish Manufacture.*’ The resolutions were all ‘received with loud applause, and were passed by acclamation.’”

The following gentlemen were then appointed upon this committee :—

Mr. O'Connell,	Counsellors O'Gorman and
Mr. Richard O'Gorman,	Finn, and
Doctor Sheridan,	R. O'Bryan, Esq.
E. Cox, Esq.	

Mr. O'Connell then moved that his resolutions should be printed in the liberal papers of Dublin, and in the liberal prints of Limerick, Cork, Waterford, Kilkenny, and Clonmel, and in a Belfast paper.

This was also agreed to, and the meeting adjourned.

On Tuesday, the 20th July, Mr. Saurin moved the Court of King's Bench, “ that the case of the King against Magee, in consequence of the continued absence of Messrs. Fitzgerald, Pole, Peele, and Sir Charles Saxton, witnesses for the defendant, should stand over to Monday, the 26th,” which was accordingly granted.

On the preceding Saturday, the 17th of July, the address to Mr. Grattan was reported to the Catholic board by its original proposer, Mr. M'Donnell.

In the course of his speech on this occasion, he alluded to the continued absence of several members of the board, who had formerly been constant attendants, and had taken an active part in its proceedings.

This allusion had reference chiefly to the parties who had made themselves prominent in opposing the vote of thanks to the Catholic bishops, and who, since the triumphant carrying of that motion in aggregate meeting, had secluded themselves in high dudgeon at their well-merited discomfiture.

The adoption of the address, which had been altered, as agreed upon, at the preceding meeting, and, therefore, while highly complimentary to Mr. Grattan, contained nothing that could be held to involve any species of tolerance towards the "*securities*" of his "Relief" Bill, was seconded by Mr. O'Connell.

"He said, that in seconding this address, he did not think it necessary to take up one moment in recommending it to the board. He relied upon its being carried with the most perfect unanimity; and when he rose to second it, he only meant to give it all the strength which his individual expression of the gratitude due by Ireland to Mr. Grattan could impart.

"No man in the community felt more sensibly the great debt which we all owe to Mr. Grattan than he did; and he was happy that he could make ample acknowledgment of its justice and magnitude, without conceding either his religion or the steady principle of simple repeal, upon which alone the Catholics were determined to stand. The clauses, the arrangements, the details, the provisions, the enactments, the restrictions, which would deprive the Irish people of the one, and which were totally inconsistent with the other, were not of Mr. Grattan's invention. These subjects were not now touched upon with any retrospective view. The address speaks prophetically. It tells Mr. Grattan that he has always had the hearts of the Irish people, and that in future he shall have their full judgments.

"It was immaterial whether their petition should succeed in the next session or not; the cause was proceeding with a rapid and steady pace, gaining daily additional strength as it went along. He was sorry that he could not agree with his most respectable friend, Mr. M'Donnell, in any part of the late bill. It was unnecessary, after the very powerful manner in which that gentleman had condemned the interference with the clergy, to say anything upon that part of the bill; the sentiments expressed by Mr. M'Donnell were only those of the public in general, and any feeble cry that has been attempted to be raised in favour of the clauses, only made the expression of this feeling the more marked. But he was bound to say, that none, even of the political enactments of the bill, deserved approbation.

"He entreated his respected friend to permit the legal men of the

board, merely as barristers (if not lawyers), to declare their opinion upon it, as upon matter of law. And this opinion he unequivocally declared was, that the bill, had it passed into a law, would have been totally inefficient—would have done nothing. In the House of Commons and in the higher ranks of the army, some trifling benefit might have accrued from it to a few ambitious Catholics, but in respect to the great mass of the people, they would have gained nothing by it. Taxation without representation, and the numerous other crying grievances which they endure, would have been left wholly unaffected by its operation. This he asserted as the opinion of the barristers of the Catholic board, and if it shall be contradicted by anything like argument in the public papers, he pledged himself to support the assertion.

“There was now upon the table an abstract of the bill, which had been prepared by Mr. Charles Butler for the emancipation of the Catholics: and he felt himself bound to say, that he had never met anything which appeared to have been drawn up in more complete ignorance of the penal laws which aggrieve the Catholics of Ireland, and that if it had passed into a law, it would have been totally useless. Mr. Butler (he said) is an expert penman, who writes a great deal, and if he shall contradict in print his (Mr. O’Connell’s) assertion, he will, for the information of the gentleman and the public, quote the statutes which would render his bill a nullity.

“He (Mr. O’Connell) spoke this that the people might know that bad bills had been prepared; and for the purpose of informing any known person, who took an interest in the affairs of the Catholics, that if a bill for their emancipation was wanted, and the board were to be called upon to produce one, the frame of such a bill was ready, and should be instantly produced.”

Mr. O’Gorman again introduced his motion for the address to the Spanish Cortes, and moved for a committee on the subject.

“CATHOLIC BOARD—SPANISH CORTES.

“Mr. O’Connell (says the leading article of the *Freeman’s Journal* of Monday, July 19, 1813), argued, at much length, in favour of the policy of the measure, and took occasion to answer three objections to it which were urged by many out of doors, and by one, among the rest, who was, from a multitude of reasons, which were peculiar

to himself, deserving of the most profound attention and respect, his Royal Highness the Duke of Sussex.

"The first objection he stated was, that the measure would be going out of the line of petitioning, and subjecting the board to the pretence and purpose of imputation of the enemies of emancipation. The second was, that it was calculated to afford the opponents of emancipation ground for cavilling on the score of foreign influence. And the third, that it proposed a violation of the spirit of the constitution, inasmuch as it sought an irregular and illegal interference of the executive branch in the peculiar province of the legislature.

"The substance of Mr. O'Connell's answer to the first of these objections was, that applying to the allies of Great Britain for their intercession, was not more out of the line of emancipation; by legal and constitutional means, than applying to any subject, or class of subjects, of Great Britain—such, for instance, as Mr. Grattan, or the Synod of Ulster—for their assistance; and that the quibbling of pretence and purpose had entirely ceased since the Attorney-General, by prosecuting the delegates, had converted the committee into a board, and satisfied himself that they were not what they never pretended to be—a representative body.

"The answer to the second was, that the foreign influence involved was exactly the opposite to that which was ever apprehended by any of the opponents of emancipation; it was not a foreign power influencing the Irish Catholics, but it was the Irish Catholics influencing a foreign power:

"The answer to the third was, that though it might seem at first sight a sort of violation of the brilliant theory of the constitution, yet it was, in fact, in entire conformity with every day's practice. No session of parliament sits without producing a recommendation from the executive. And surely it was this kind of interference on the part of his Majesty in 1793, which produced the important extension of privilege which the Catholics now enjoy."

The pressure of prior business at this meeting compelled a postponement of the motion of Mr. O'Connell, relative to the Presbyterian Synod of Ulster.

"On the succeeding Saturday he, however, brought it forward. He said he had to call upon the board to carry out their intention of

thanking that very important body, the Synod of Ulster, for the late vote of the members composing it, in favour of religious liberty. The learned gentleman (say the reports of the *Post* and *Freeman*,) prefaced the motion by a speech of some length, and delivered it with his wonted eloquence. He touched upon a variety of topics, having reference to, or bearing upon, the subject matter of his motion. The late decision of the Synod of Ulster he considered perfectly unanimous, for the eight individuals who had opposed have since that time declared, that in sentiment and feeling, they were in perfect accordance with the majority.

“He looked upon it as one of the most important, auspicious, and gratifying events which had occurred for a considerable period. Divisions had ever been the ruin of Ireland; they yet pursued and scourged her; but the declaration of the Synod of Ulster, in favour of religious liberty, was an earnest, he hoped, for the banishment of them from amongst us in future. It was not to be expected, however, that an evil, which had not only been suffered to exist, but had actually been encouraged, and, in consequence, had grown to a melancholy extent indeed, should be all at once overcome.

“The Synod of Ulster had done their part. They had set a noble example: let it be met by a corresponding spirit, and be imitated throughout the country.

“The enemies of Ireland having had long experience of the efficacy of divisions in forwarding their purposes, had never lost sight of promoting them. There were two sorts of divisions, which were peculiarly fatal, and should be guarded against with the utmost care. One—the lesser kind—was, divisions amongst the Catholics themselves; the other—and the greater—was, that which would separate the Presbyterian, the Quaker, and all the other numerous classes of Dissenters from the Catholics, and from each other.

“With respect to the first kind of division, he was proud to say, that the great body of the Irish Catholics were unanimous in their determination to knock at the gate of the temple of liberty, and temperately, but firmly, and with the port of men, demand admittance. Knowing this to be the spirit which animated the body, he was prepared to say, that if any Catholic, no matter what were his rank and property, seceded from them, he only made an outlaw of himself, and inflicted no injury upon the cause.

“And with respect to the second kind of division, the declaration of the Synod of Ulster was a gratifying proof, that good sense, reason,

and patriotism were beginning to triumph over the distractions which had so long disfigured Ireland.

"It was with pain he found himself compelled to say that many of the clergy of the Established Church were very hostile to the just claims of their fellow-countrymen and fellow-Christians, who sought liberty to worship God according to the dictates of their consciences. This was particularly observable during the late elections. Where-soever a gentleman, whose principles were tolerant, appeared as a candidate, he was sure to be encountered by a host of the votes of the clergy. Dr. St. Lawrence and that gallopping, preaching gentleman, his son, were proofs of this when, at Cork, they strenuously opposed Mr. Hely Hutchinson. It was true, there were many illustrious exceptions which only proved the general rule.

"It was gratifying, however, to remark, that this illiberality was confined to the clergy, and even amongst them to the beneficed ones. The laity—the respectable and uninfluenced laity—were all favourable to the rights of their fellow-men and fellow-subjects; but, while this afforded matter for warm congratulation, it was impossible to avoid regretting, that the practice of the established clergy should be so widely different from those doctrines of peace and charity which they are so liberally paid for teaching. He was willing to hope, notwithstanding all that could be done, their efforts and the efforts of those who set them in motion, would prove ineffectual; that every odious distinction would be obliterated; and that every man in this country would be ambitious for one title, and one title only, that of **IRISHMEN!** (Loud cheering.)

"The Synod of Ulster talks of the constitution. He perfectly agreed with the Synod, in what it had said in that respect. All he required, all the Catholics required, was *Emancipation to the extent of the constitution!*—*Emancipation agreeable to the principles of the revolution!* Those principles were plain, indisputable, and well understood—they were liberty to the people to choose their own religion and their governors. The Catholics merely seek religious freedom. The revolutionists changed their king, because he was not of the religion of the people, and refused to be governed by any person who would not adopt that religion. The Catholics, however, seek no such change, and nothing beyond what he had said.

"He had but one observation more. The great object of his life, and that which he had in view at present, was to defeat and put down any man who should attempt to excite discontent, or disloyalty,

or disunion amongst the people. Union and harmony were the great and healing balsams which he wished and hoped to see applied to the wounds of his country.

“Mr. O’Connell concluded with the following resolution :—

“Resolved—‘That our warmest gratitude is due to the clergymen and elders composing the Very Reverend Board the Synod of Ulster—for the patriotism which suggested, and the cordiality which has accompanied their late declarations in favour of religious liberty.

“‘And we trust, that the spirit of fraternal affection will thus be renewed amongst all classes of Irishmen.’

“IRISH MANUFACTURE.

“Mr. Fyans begged to call the attention of the board to the state of the cotton manufacture. Numbers of most industrious, honest, and praiseworthy families, are at this moment plunged in the utmost misery, from the cotton manufacturers being unable to afford them employment, in consequence of the superabundance of goods on hands. He was sure that Irishmen would be glad to seize the opportunity of rescuing these manufacturers from the imminent wretchedness with which they were surrounded, particularly when it could be done, not only without loss, but with absolute advantage.

“What he wished was, that the committee of Irish manufacture might be directed to take particularly into their consideration, the state of the cotton trade, and to recommend, and take measures to promote the consumption of muslins, calicoes, and corduroys. If these articles were at all patronised, the working classes who were very well disposed, would be quiet, happy, and contented; their numerous families preserved from the deplorable consequences that want will not fail to produce; and the purchaser, along with the happiness of having contributed to effect these meritorious objects, will make a saving of thirty per cent. (Great applause.)

“Mr. O’Connell moved that Mr. Fyan’s name be added to the committee, which being carried, the learned gentleman went on. He said, that he regretted much to find, that opposition had been made to the consumption of the cotton manufacture, even by persons engaged in this traffic. This arose from confined and narrow views, and he trusted, would be overcome. But he thought, it was useless for the Catholic board to speak, if it did not act. It would be guilty of a great crime indeed, if, after promising those poor people to find work for them, it were to content itself with the mere promise,

instead of the performance. With this impression upon his mind, he was anxious to bring forward some measure which might *give effect* to the resolutions already passed. The cotton manufacturers, in particular, were suffering the extreme of misery. The present period of the year is that which their fabrics may best be used; and he had reason to know that *if the sale of English goods were to be suspended but for one day in this city, and that of Irish substituted, there would not be a single piece of goods left on hands!* It was idle for gentlemen to talk of public spirit, and of patriotism, or even of common humanity, if the knowledge of such a fact as this did not inspire them to deeds as well as words. Upon making up the annual accounts of the sale of the cotton manufacture, it was clearly established, that there is not so much of the *Irish* manufacture sold in the entire year, as of the *English in one day!* Could any person with Irish feelings listen to this statement, and refuse to make the slight sacrifice of purchasing the work of his countrymen in preference to *English* manufacture, which he might suppose better or handsomer? But, in point of *fact*, it was not either handsomer or better. The manufacturer of all kinds of clothing had much improved under all its discouraging circumstances. What perfection may it not arrive at, if it but receive the countenance of the inhabitants? It was only yesterday that the cloth he wore had been taken by an English merchant for the manufacture of his own country. 'It is so good,' said he, 'it *must* be *English*;' but Mr. O'Connell had replied, that he was proud to say, 'it must be good, *because it is Irish*.'

"The learned gentleman expressed a strong wish" that the use of the Irish *corduroy* and *velveteen* might be promoted amongst the peasantry. He said, that when England was at peace with America, she made up immense parcels of these goods and disposed of them there. They were of a very inferior description—no matter how coarse—they were good enough for the native negro slaves in the Southern States, and for the Irish imported slaves in the Northern. But when this fruitful market was shut up, those goods were sent to Ireland, as a substitute for the manufacture of this country, which had been in use while the English fabrics went to America. In Ireland, they found a ready consumption, and soon superseded the home manufacture, though of an infinitely worse and more unlasting quality. The Irish cottons might, at the first price, be dearer, but they were eventually much cheaper, for they gave *twice* the length

of service. He said he was sure he might calculate upon the assistance of the patriotic Press of Ireland; for the aid and friendly disposition of the *Freeman's Journal*, the *Dublin Evening Post*, and the *Evening Herald*, he would venture to answer. With the support of the independent Press, and the individual exertions of the members of the committee, he hoped much might be effectuated.

"The learned gentleman now moved his first resolution, which is, that each member of the board sign and give in to the secretary the following declaration :—

" ' I declare, upon my honour, that I will not speak or vote in the Catholic board in any other dress than one of Irish manufacture.' "

"Mr. O'Gorman thought that every man who appeared at the board should make a similar declaration.

"Doctor Dromgoole said, that five persons are sent from each parish to the board. Let those five make a declaration, in addition to the above, that they will not suffer the use of any manufacture except Irish in their families. Let them also make individual application to their neighbours and acquaintances, Protestants, Catholics, and Dissenters, to prohibit any article not of home fabric in their families, and then we may expect to see the manufacturers happy and contented. Individual application and exertion (said the learned Doctor) will do much more service than any general appeals, which are usually forgotten as soon as perused. (This suggestion met great and deserved applause.)

"Mr. O'Gorman followed, after which the resolution was put and carried unanimously.

"Mr. O'Connell then moved his next resolution on this subject, which is—

" ' That the different counties be recommended to take this subject into their consideration at their ensuing meetings.' "

"Mr. O'Gorman begged leave to second it, and said he should move upon the subject in the county of Clare.

"Mr. Roche declared a similar intention respecting the county Westmeath.

"This resolution also passed unanimously.

"After it was agreed that the correspondence of the board should be referred to the committee of accounts, Mr. M'Donnell left the

chair, and the names of Mr. Bagot and Mr. O'Gorman were vociferated from all parts of the hall at nearly the same moment.

"Mr. O'Gorman said that he would end the business by taking the chair, which he accordingly did, and then put the question, whether he should remain in the chair or not. No opposition being offered, it was decided in the affirmative. Mr. Finn declared that he had called Mr. O'Gorman before Mr. Bagot's name was mentioned.

"Mr. Costigan deprecated very sincerely any spirit of the kind which had just shown itself. It must do incalculable injury. It had afforded him sincere pleasure when he saw one of the most respectable gentlemen of the board, and one of those who had been called seceders, enter the hall; but, really, if such violent ebullitions of party feeling were encouraged, it would drive away every moderate and reasonable man from their meetings.

"Mr. O'Connell was much surprised to hear of seceders and secessions. If some gentlemen chose to remain away, they might do so without being missed. The people could do without them.

"Mr. Bagot was about to speak, when Mr. O'Gorman rose and said, that he felt himself in an awkward situation. (Not at all, not at all.) The business for which he had been called to the chair, was merely to return thanks to the former worthy chairman, and he really did not know whether he could suffer a discussion like that which was commencing to proceed. (Hear Mr. Bagot, hear Mr. Bagot.)

"Mr. Bagot hoped he should be permitted to say a few words in explanation, rendered necessary by the mention which had been made of his name. Great as was the respect which he entertained for the high distinction of chairman of the Catholic board, and gratified as he should certainly be, by being thought worthy of that situation, he had no wish to put his claims in opposition to those of the learned gentleman whom he was then addressing. He should beg leave to decline any such competition. He found that his name had been coupled with a term that had lately become familiar. He meant the term *seceder*. He begged leave to say, that he never had *seceded* from the *Catholic cause*, or from the *Catholic board*. (Loud applause.) And further, he solemnly declared, that his life and every thing he possessed would be cheerfully devoted to the success of that cause. (Loud and repeated cheering.) When he made this declaration, he did so, not in mere general terms, but with

respect to the specific object of unlimited emancipation. (Repeated plaudits.—Hear, hear, from Mr. O'Connell and Mr. O'Gorman.) But while he thus expressed his determination to use unceasing constitutional efforts for freedom, he must plead guilty in some part to the charge of secession, if absenting himself from rashness, intemperance, and folly, was meant by secession. True it was, that he and some respectable gentlemen with whom he had occasionally the honour to act, had seceded from proceedings which they never could approve. Finding that they were unable to stem the torrent, they considered it more prudent to absent themselves, than to render folly more flagrant by a show of opposition to it. The expressions he made use of were strong, but he could not forget that he had heard the sacred name of Grattan profaned (he trusted he should be permitted to use the term) at that table.

“Mr. O'Connell was sorry that anything should have drawn forth such observations. The gentleman had avowed himself a *seceder*, and he (Mr. O'Connell) was only sorry he had come back. Who was it that had the folly, the flagrant folly, to charge the Catholic board of Ireland with flagrant folly?

“Mr. Bagot, the gentleman has mistaken me—I did not charge the board with flagrant folly, but said I had witnessed proceedings here which I could not consider other than rash and foolish, but I never intended to visit the conduct of individuals upon the board generally.

“Mr. O'Connell continued—He said the gentleman had been pleased to make a personal allusion to him. It was true that he had once in the fulness of his heart made use of an expression towards Mr. Grattan, which he had afterwards publicly recanted before the gentlemen had taunted him with it. But it was the absurd adulation which Mr. Grattan had received that had ruined him. If good sense were sometimes spoken, it would be useful. Had he known the many letters he (Mr. O'Connell) had received, and the observations which had been made to him by true friends of Ireland, in consequence of the recantation just mentioned, he would not have received the Catholic board in a lodging, when he might have commanded Leinster House. He would not have thrown a milk-and-water phrase of ‘conciliation’ into his spiritless and aqueous answer to the address. He would not have answered the ‘simple repeal’ of the Catholics, by talking of the spirit of the last parliament, that spirit with which had originated the clauses, and arrange-

ments and provisions. But it was easily accounted for, although the first of patriots, Mr. Grattan, was but a man; and if anything completely led him astray, it was that absurd folly which induced gentlemen to talk of profaning his name. The learned gentleman said it was true there were some Catholics so anxious for what they termed Emancipation, that they would be content to buy it by delivering up themselves, and even their venerable bishops, bound hand and foot to the secretary at the Castle; but he trusted that, as it had before happened, the spirit of the people would counteract such views.

“Mr. Bagot protested, in reply, that he would not yield to the learned gentleman, or to any one, in unshrinking devotion to the cause of Ireland. His life, and every thing that was dear to him, he freely embarked in that cause, and would willingly sacrifice them to its success were they required.

“He asserted his right to express disapprobation in any way he chose, and hoped there would be no repetition of the occasions.” He defended himself against the charge of having been a party to an attempt to insult the clergy. He had, indeed, been one of those who, on a late occasion, had wished to echo the *conciliation* which had been held out, &c., &c.

“In conclusion, Mr. Bagot disclaimed all personal allusions in anything he had said.”

On Monday, the 26th of July, the case of the *King v. Magee* was again called on.

Mr. O'Connell addressed the Court at its sitting.

“TRIAL OF JOHN MAGEE,

“Proprietor of the *Dublin Evening Post*, for a libel against his Grace the Duke of Richmond.

“King's Bench, July 26, 1813.

“The court of King's Bench was yesterday morning crowded at an early hour, by the interest excited in this case, which had been twice postponed, on account of the absence, as the affidavits of the traverser stated, of witnesses material to his defence. The Chief Justice entered the court soon after eleven o'clock, and the Clerk of

the Crown was proceeding to call over the panel, when Mr. O'Connell, one of the traverser's counsel, rose and spoke as follows :—

“ My lord, I am to apply to your lordship to postpone this trial to the first *nisi prius* day of next term, in consequence of the absence of two witnesses material for the traverser's defence; and I can undertake to state, with confidence, that if your lordship grant this application, those witnesses will be in attendance at that time; my application is grounded on three affidavits, and is opposed by one on the part of the Crown, by which I find there is the same anxiety to try Magee in the absence of his witnesses, as prevailed on the former occasions; in the affidavits of Mr. Magee, one of the 28th of May, and the other of the 5th of July, it was stated that Mr. W. Pole, Sir C. Saxton, and Mr. Fitzgerald were important witnesses; the latter gentleman is in attendance, but the two former not; and if the Court before agreed to postpone, on account of their absence, the same cause now operates, and we come now with stronger documents than before; for we have the affidavit of service of two *subpœnas ad testificandum*, and the affidavit of the English agent will be produced to prove he transmitted £30 British, as viaticums for Mr. Pole and Sir Charles Saxton. And what says the affidavit of the Crown Solicitor? Why that a letter was received from C. Saxton, stating that he had not received his viaticum. How frivolous is it to talk of £15 preventing a high-minded gentleman doing justice between party and party; it is sworn by the process-server that he believes it was sent to the lodging-house in which Sir C. Saxton lived, and where he learned that Sir Charles had set off for Ireland; the viaticum would have been personally paid if there had been personal attendance. Mr. Magee further swears that he will apply to the Court of King's Bench in England, for attachments for not obeying your lordship's process.

“ Chief Justice.—That attachment issues on certificate from this Court that a viaticum was tendered.

“ Mr. O'Connell.—The only certificate, I believe, my lord, required, is a certificate of non-attendance. The process-server was informed that Sir Charles had set out for Ireland, and if his servant told a falsehood, why should Mr. Magee suffer? Mr. Kemmis makes affidavit of a letter from Sir Charles, and only presents us with a fragment of it; is it not strange he did not write to Mr. Magee's agent instead of the agent for the prosecution? The letter is written not to the person who wanted his evidence, but to the

person that did not. Mr. Fitzgerald did not send his excuse, but wrote to the agent of the traverser. Were we to hunt all over England for Sir Charles to give him his viaticum personally? We have the letter of the English agent who is now in court, whose affidavit will be sworn before this trial shall have proceeded, and in which he states that he believes the viaticum was received. Consider, my lord, the great severity it would be to try a man in Ireland, while his witness is in England. Mr. W. Pole, it is true, has no residence in Ireland, although here presents an Irish county, and I am sure (said Mr. O'Connell) he would not peddle about fifteen pounds; if there had been any negligence upon the part of the traverser, his application would come with a bad grace, but he has done every thing in his power to induce the attendance of his witnesses; two fresh subpoenas have been served; and I should hope the case of the Chevalier D'Eon, reported in Burrowes, will not be here debated; in that case the witnesses were in France, and no chance of their coming over; but the obstacle to the attendance of our witnesses is now done away; they were, at the time of former applications, attending their duty in parliament; but that cause, which I allow a legal one, is now done away; up to Thursday last, their absence is accounted for, and we can now proceed to enforce their attendance, so that there is little doubt of their being present on the day this trial will stand for, if your lordship grant this application. Being now in possession of Sir Charles Saxton's last excuse, the non-receipt of the viaticum, that shall be obviated, and that it has not been caused by the default of Mr. Magee, Mr. Menzie's affidavit will clearly evince. And as former postponements took place on weaker grounds, I should hope this application will be allowed. Mr. Kemmis cannot say he believes Mr. Magee intends to escape from justice; he sets out a letter of Sir C. Saxton, and does not swear that he believes it; by the postponement, a failure of justice cannot ensue, but great injustice may be done if traverser be obliged to go to trial, in the absence of his witnesses.

"Chief Justice.—Do you consent, Mr. Attorney-General?

"Attorney-General.—By no means, my lord; two of the persons formerly absent are now present, and further postponement would be but a mockery of justice.

"Mr. Wallace.—There is nothing to justify the expressions of a mockery of justice; this is not an application to postpone the punishment, but one to the discretion of the Court to postpone the

trial. Mr. Magee may be guilty of the libel, but until proved so, he is to be considered innocent; the Crown cannot suffer by the delay, for judgment cannot be had till next term.

“Chief Justice.—Let me see the affidavits.

“Mr. Wallace.—I am glad your lordship has looked into the affidavits; they contain the usual ground for postponing the trial, that justice cannot be done if the trial proceeded in the absence of traverser's witnesses; and am I not at liberty to assume that Sir C. Saxton is a material witness, when it has not been contravened by the affidavit on the other side? It would be miserable special pleading to say, that because the money was not actually put into Sir C. Saxton's pocket, although he was on his way to Ireland, that, therefore, he is justified in acting as if no viaticum at all had been sent to him. I am sorry he conceived a viaticum at all necessary. Two of the witnesses, the Attorney-General states, have arrived, but we made no compromise to go to trial in the absence of the others. I shall not trouble your lordship at greater length; but the cardinal fact in our cause is, we have the best grounded hope that he will attend on the day we have applied to fix the trial for.

“Chief Justice.—This case comes before me like any other cause at *nisi prius*, and I will act in it as I would on circuit. The Judge cannot say I will not try it; let the party prosecuting proceed at his peril; because two postponements have taken place before the Court, is it to be argued, that, therefore, a third shall? There is no fact either stated in the affidavit or by counsel, by which the Court can judge of the materiality of the absent witness; one of them says he would have attended if he had received a proper viaticum; that which is spoken of would not be sufficient to bring persons of their rank half way. I cannot consent to postpone the trial, but let the prosecutor proceed at his own risk.

“Mr. Townsend cited the case of the King against Finney, which afterwards went to the twelve judges, and in that case there was no postponement.

“Mr. O'Connell.—Mr. Attorney-General will proceed, if he please; but it would be a mockery of justice to consent to go on in the absence of our witnesses.

“Attorney-General.—My lord, it is most important that jurors should attend when summoned.

“Chief Justice.—They have been called on £50 fines. Here a long delay took place for want of jurors.

“Mr. O'Connell.—I am desired by Mr. Magee, to state, that if the postponement shall be allowed, proper viaticums shall be sent.

“Attorney-General.—I cannot consent, as I feel confident delay is the only object in view.

• “Mr. O'Connell.—We differ in opinion with Mr. Magee; we do not wish to appear if the trial proceed, but, we yield to his wish that we should. A further delay took place.

“Mr. Finlay, in a very nervous manner, then said—My lord, I think it extremely unreasonable, since they won't wait for *our* witnesses, that we should wait for *their* jury. (A general laugh.)

“Mr. Attorney-General.—My lord, there are but eleven jurors in attendance, we, therefore, pray *a tales*; we would, however, rather have the panel, if your lordship will wait a short time.

Mr. O'Connell.—My lord, I am to pray to quash the panel. This is a trial by *nisi prius*, and yet the panel is different from the *nisi prius* one; there are but twenty-four names, instead of thirty-six, and the 29th of Geo. II., cap. 6, includes the case of the King against Magee, as well as other trials at *nisi prius*; the third section enacts, that any sheriff or other officer, shall annex the Christian names, &c., of the persons returned, who shall be in number thirty-six, and that they shall try all the cases at *nisi prius*; the sheriff has here returned the *venire*, and has not returned thirty-six names; twenty-four only being returned; the words of the statute are express; the only doubt is, whether criminal cases are included; it may be said that party and party include the King; the third section is a positive enactment; the first section has these words ‘*per medietatem lingua,*’ which is only applicable to criminal cases, as there is no such thing in civil cases.

“Chief Justice.—This appears, reading the statute, to apply to the assizes.

Mr. O'Connell.—And *nisi prius* also.

“Chief Justice.—I don't think it applies to the city of Dublin.

“Mr. O'Connell.—Then your lordship will make a note of our motion to quash the panel. Now, my lord, we object to the array; there has been a misdirection of the *venire*; before the statute, the proceedings were by *distringas alias*, and *pluries distringas*; the *venire* issued in this case has been returned, and remains amongst the records of the court. There are, at present, two *venires*. The Attorney-General can appoint triers to try the fact.

“Attorney-General.—They allege there are errors on the record.

Your lordship is not sitting here to try the plea roll, but the issue knit between the parties.

"If there be error on the record, a writ of error will lie, or a motion may be made to arrest the judgment.

"Mr. O'Connell—The *nisi prius* roll will exhibit the ground of our objection.

Mr. Wallace.—We could have no opportunity to challenge the array if we did not know of the second panel.

"Chief Justice.—The record is now before me and I do not see the second *venire*.

"Mr. Townsend.—All objections to the array are against the officer himself, but this is for the Court above, and not to be considered as *nisi prius*.

"Attorney-General.—If there be any error on the record, this is not the place to amend it.

"Mr. Wallace.—We contend for it; we are not to be tried by the second jury.

"The Clerk of the Crown then read from the record, the objections put in by the traverser's counsel; they were put in as pleas, and were substantially; in the first place, that the panel was returned by the sheriff's, under the denominations (nominations) of the Attorney-General; that the panel did not contain truth; and that a *distringere* did not issue on the first *venire*. The Attorney-General then, *ore tenus*, joined issue on the first and second plea, and demurred to the third. Triers were then appointed—Messrs. Heyland and Hamilton.

"WILLIAM GOFF, Esq., examined by Mr. O'Connell.

"Do you know Joseph Goff?

"I do.

"Is he not one of the persons returned on this panel?

"I believe so.

"Mr. O'Connell.—My lord, we are going to prove that this person, not having any other favour to ask of the government, expressed a wish to be always employed as a juror in cases where the Crown was a party; such expressions would warrant a conclusion that his name now appeared on the panel in consequence, of his own wishes, and in violation, therefore, of the impartiality necessary in the formation of juries.

"The reason why we did not produce the person himself is upon

the general principle, that no man is bound to criminate himself. If crown influence be proved, it will affect the Attorney-General, as identified with the officers of the crown."

This challenge was, after some discussion, disallowed, as the Court would not admit hearsay evidence on the point.

The following were the jury, as finally sworn :—

Leland Crosthwaite,	Martin Keene,
Thomas Andrews,	Benjamin Darley,
Bladen Swiney,	William Watson,
Richard Palmer,	William Walsh,
Thomas Rochfort,	Richard Cooke,
Alexander Montgomery,	Edward Clibborne.

Mr. Kemmis then opened the indictment, and the Attorney-General followed.

The nature of his speech will be readily gathered from Mr. O'Connell's reply, which has been generally considered one of his greatest bar efforts, and which we now proceed to give.

It was on Tuesday, 27th July, the second day of the proceedings, that he was called upon to speak. We quote the ample report of the *Evening Post*.

"At eleven o'clock, the *Chief Justice* took his seat in the court, which was crowded from an early hour, public expectation being much excited and interested, with respect to the proceedings and issue of the day.

"Mr. O'Connell rose and spoke as follows :—

"I consented to the adjournment yesterday, gentlemen of the jury, from that impulse of nature which compels us to postpone pain; it is, indeed, painful to me to address you; it is a cheerless, a hopeless task to address you—a task which would require all the animation and interest to be derived from the working of a mind fully fraught with the resentment and disgust created in mine yesterday, by that farrago of helpless absurdity with which Mr. Attorney-General regaled you.

"But I am now not sorry for the delay. Whatever I may have lost in vivacity, I trust I shall compensate for in discretion. That which yesterday excited my anger, now appears to me to be an object of pity; and that which then roused my indignation, now only

moves to *contempt*. I can now address you with feelings softened, and, I trust, subdued; and I do, from my soul, declare, that I now cherish no other sensations than those which enable me to bestow on the Attorney-General and on his discourse, pure and unmixed compassion.

"It was a discourse in which you could not discover either order, or method, or eloquence; it contained very little logic, and no poetry at all; violent and virulent, it was a confused and disjointed tissue of bigotry, amalgamated with congenial vulgarity. He accused my client of using Billingsgate, and he accused him of it in language suited exclusively for that meridian. He descended even to the calling of *natacs*: he called this young gentleman a 'malefactor,' a 'Jacobin,' and a 'ruffian,' gentlemen of the jury; he called him 'abominable,' and 'seditious,' and 'revolutionary,' and 'infamous,' and a 'ruffian' again, gentlemen of the jury; he called him a 'brothel keeper,' a 'pander,' 'a kind of bawd in breeches,' and a 'ruffian' a third time, gentlemen of the jury.

"I cannot repress my astonishment, how Mr. Attorney-General could have *preserved* this dialect in its native purity; he has been now for nearly thirty years in the class of polished society; he has, for some years, mixed amongst the highest orders in the state; he has had the honour to belong for thirty years to the first profession in the world—to the only profession, with the single exception, perhaps, of the military, to which a high-minded gentleman could condescend to belong—the Irish bar. To that bar, at which he has seen and heard a Burgh and a Duquerry; at which he must have listened to a Burston, a Ponsonby, and a Curran; to a bar, which still contains a Plunket, a Ball, and, despite of politics, I will add, a Bushe. With this galaxy of glory, flinging their light around him, how can he alone have remained in darkness? How has it happened, that the twilight murkiness of his soul, has not been illumined with a single ray shot from their lustre? Devoid of taste and of genius, how can he have had memory enough to preserve this original vulgarity? He is, indeed, an object of compassion, and, from my inmost soul, I bestow on him my forgiveness, and my bounteous pity.

"But not for him alone should compassion be felt. Recollect, that upon his advice—that with him, as the prime mover and instigator of those rash, and silly, and irritating measures, of the last five years, which have afflicted and distracted this long-suffering country

have originated—with him they have all originated. Is there not then compassion due to the millions, whose destinies are made to depend upon his counsel? Is there no pity to those who, like me, must know that the liberties of the tenderest pledges of their affections, and of that which is dearer still, of their country, depend on this man's advice?

“Yet, let not pity for us be unmixed; he has afforded the consolation of hope; his harangue has been heard; it will be reported—I trust, faithfully reported; and if it be but read in England, we may venture to hope that there may remain just so much good sense in England as to induce the conviction of the folly and the danger of conducting the government of a brave and long-enduring people by the counsels of so tasteless and talentless an adviser.

“See what an imitative animal man is! The sound of ruffian—ruffian—ruffian, had scarcely died on the Attorney-General's lips, when you find the word honoured, with all the permanency of print, in one of his pensioned and well-paid, but ill-read newspapers.* Here is the first line in the *Dublin Journal* of this day:—‘The ruffian who writes for the *Freeman's Journal*.’ Here is an apt scholar—he profits well of the Attorney-General's tuition. The pupil is worthy of the master—the master is just suited to the pupil.

“I now dismiss the style and measure of the Attorney-General's discourse, and I require your attention to its matter. That matter I must divide, although with him there was no division, into two unequal portions. The first, as it was, by far the greater portion of his discourse, shall be that which was altogether inapplicable to the purposes of this prosecution. The second, and infinitely the smaller portion of his speech, is that which related to the subject matter of the indictment which you are to try. He has touched upon, and disfigured a great variety of topics. I shall follow him at my good leisure through them. He has invited me to a wide field of discussion. I accept his challenge with alacrity and with pleasure.

“This extraneous part of his discourse, which I mean first to discuss, was distinguished by two leading features. The first consisted of a dull and reproofing sermon, with which he treated my colleagues and myself, for the manner in which we thought fit to conduct this defence. He talked of the melancholy exhibition of four hours wasted, as he said, in frivolous debate, and he obscurely hinted at something like incorrectness of professional conduct. He has not ventured to speak out, but I will. I shall say nothing for

myself; but, for my colleagues—my inferiors in professional standing, but infinitely my superiors in every talent and in every acquirement—my colleagues, whom I boast as my friends, not in the routine language of the bar, but in the sincerity of my esteem and affection; for my learned and upright colleagues, I treat the unfounded insinuation with the most contemptuous scorn!

“All I shall expose is the utter inattention to the fact, which, in small things as in great, seems to mark the Attorney-General's career. He talks of four hours. Why, it was past one before the last of you were digged together by the Sheriff, and the Attorney-General rose to address you before three. How he could contrive to squeeze four hours into that interval, it is for him to explain; nor should I notice it, but that it is the particular prerogative of dulness to be accurate in the detail of minor facts, so that the Attorney-General is without an excuse, when he departs from them, and when for four hours, you have had not quite two. Take this also with you, that we assert our uncontrollable right to employ them as we have done; and as to his advice, we neither respect, nor will we receive it; but we can afford cheerfully to pardon the vain presumption that made him offer us counsel.

“For the rest, he may be assured that we will never imitate his example. We will never volunteer to mingle our politics, whatever they may be, with our forensic duties. I made this the rigid rule of my professional conduct; and if I shall appear to depart from this rule now, I bid you recollect that I am compelled to follow the Attorney-General into grounds which, if he had been wise, he would have avoided.

“Yes; I am compelled to follow him into the discussion of his conduct towards the Catholics. He has poured out the full vial of his own praise on that conduct—praise in which, I can safely assure him, he has not a single unpaid rival. It is a topic upon which no unbribed man, except himself, dwells. I admit the disinterestedness with which he praises himself, and I do not envy him his delight, but he ought to know, if he sees or hears a word of that kind from any other man, that that man receives or expects compensation for his task, and really deserves money for his labour and invention.

“My lord, upon the Catholic subject, I commence with one assertion of the Attorney-General, which I trust I misunderstood. He talked, as I collected him, of the Catholics having imbibed principles of a seditious, treasonable, and revolutionary nature! He seemed to

me, most distinctly, to charge us with treason! There is no relying on his words for his meaning—I know there is not. On a former occasion, I took down a repetition of this charge full seventeen times on my brief, and, yet, afterwards, it turned out that he never intended to make any such charge; that he forgot he had ever used those words, and he disclaimed the idea they naturally convey. It is clear, therefore, that upon this subject he knows not what he says; and that these phrases are the mere flowers of his rhetoric, but quite innocent of any meaning!

“Upon this account I pass him by, I go beyond him, and I content myself with proclaiming those charges, whosoever may make them, to be false and base calumnies! It is impossible to refute such charges in the language of dignity or temper. But if any man dares to charge the Catholic body, or the Catholic board, or any individuals of that board with sedition or treason, I do here, I shall always in this court, in the city, in the field, brand him as an infamous and profligate liar!

“Pardon the phrase, but there is no other suitable to the occasion. But he is a profligate liar who so asserts, because he must know that the whole tenor of our conduct confutes the assertion. What is it we seek?

“Chief Justice.—What, Mr. O'Connell, can this have to do with the question which the jury are to try?

“Mr. O'Connell.—*You heard the Attorney-General traduce and calumniate us—you heard him with patience and with temper—listen now to our vindication!*

“I ask, what is it we seek? What is it we incessantly and, if you please, clamorously petition for? Why, to be allowed to partake of the advantages of the constitution. We are earnestly anxious to share the benefits of the constitution. We look to the participation in the constitution as our greatest political blessing. If we desired to destroy it, would we seek to share it? If we wished to overturn it, would we exert ourselves through calumny, and in peril, to obtain a portion of its blessings? Strange, inconsistent voice of calumny! You charge us with intemperance in our exertions for a participation in the constitution, and you charge us at the same time, almost in the same sentence, with a design to overturn that constitution. The dupes of your hypocrisy may believe you; but base calumniators, you do not, you cannot believe yourselves!

“The Attorney-General—*‘this wisest and best of men,’* as his

colleague, the Solicitor-General, called him in his presence—the Attorney-General next boasted of his triumph over pope and popery—‘I put down the Catholic committee; I will put down, at my good time, the Catholic Board.’ This boast is partly historical, partly prophetic. He was wrong in his history—he is quite mistaken in his prophecy. He did not put down the Catholic Committee—he gave up that name the moment that it was confessedly avowed, that this sapient Attorney-General’s polemical-legal controversy dwindled into a mere dispute about words. He told us that in the English language ‘pretence’ means ‘purpose;’ had it been French and not English, we might have been inclined to respect his judgment, but in point of English we venture to differ with him; we told him ‘purpose,’ good Mr. Attorney-General, is just the reverse of ‘pretence.’ The quarrel grew warm and animated; we appealed to common sense, to the grammar, and to the dictionary; common sense, grammar, and the dictionary decided in our favour. He brought his appeal to this court, your lordship, and your brethren unanimously decided that, in point of law—mark, mark, gentlemen of the jury, the sublime wisdom of law—the court decided that, in point of law, ‘*pretence*’ does mean ‘*purpose*!’

“Fully contented with this very reasonable and more satisfactory decision, there still remained a matter of fact between us: the Attorney-General charged us with being representatives; we denied all representation. He had two witnesses to prove the fact for him; they swore to it one way at one trial, and directly the other way at the next. An honourable, intelligent, and enlightened jury disbelieved those witnesses at the first trial—matters were better managed at the second trial—the jury were better *arranged*. I speak delicately, gentlemen; the jury were better arranged, as the witnesses were better informed; and, accordingly, there was one verdict for us on the representative question, and one verdict against us.

“You know the jury that found for us; you know that it was Sir Charles Saxton’s Castle-list jury that found against us. Well, the consequence was, that, thus encouraged, Mr. Attorney-General proceeded to force. We abhorred tumult, and were weary of litigation; we new-modelled the agents and managers of the Catholic petitions; we formed an assembly, respecting which there could not be a shadow of pretext for calling it a representative body. We disclaimed representation; and we rendered it impossible, even for the virulence of the most malignant law-officer living, to employ the Convention Act against us

—that, even upon the Attorney-General's own construction, requires representation as an ingredient in the offence it prohibits. He cannot possibly call us representatives; we are the individual servants of the public, whose business we do gratuitously but zealously. Our cause has advanced even from his persecution—and this he calls putting down the Catholic Committee!

“Next, he glorifies himself in his prospect of putting down the Catholic Board. For the present, he, indeed, tells you, that, much as he hates the papists, it is unnecessary for him to crush our board, because we injure our own cause so much. He says that we are very criminal, but we are so foolish that our folly serves as a compensation for our wickedness. We are very wicked and very mischievous, but then we are such foolish, little, criminals, that we deserve his indulgence. Thus he tolerates offences, because of their being committed sillily; and, indeed, we give him so much pleasure and gratification by the injury we do our own cause, that he is spared the superfluous labour of impeding our petition by his prosecutions, fines, or imprisonments.

“He expresses the very idea of the Roman Domitian, of whom some of you possibly may have read; he amused his days in torturing men—his evenings he relaxed in the humble cruelty of impaling flies. A courtier caught a fly for his imperial amusement—‘fool,’ said the emperor, ‘fool, to give thyself the trouble of torturing an animal that was about to burn itself to death in the candle!’ Such is the spirit of the Attorney-General's commentary on our board. Oh, rare Attorney-General!—Oh, best and wisest of men!!!

“But, to be serious. Let me pledge myself to you that he imposes on you, when he threatens to crush the Catholic Board. Illegal violence may do it—force may effectuate it; but your hopes and his will be defeated, if he attempts it by any course of law. I am, if not a lawyer, at least, a barrister. On this subject I ought to know something, and I do not hesitate to contradict the Attorney-General on this point, and to proclaim to you and to the country that the Catholic Board is perfectly a legal assembly—that it not only does not violate the law, but that it is entitled to the protection of the law, and in the very proudest tone of firmness, I hurl *defiance* at the Attorney-General!

“I defy him to allege a law or a statute, or even a proclamation that is violated by the Catholic Board. No, gentlemen, no; his religious prejudices—if the absence of every charity can be called

anything religious—his religious prejudices really obscure his reason, his bigoted intolerance has totally darkened his understanding, and he mistakes the plainest facts and misquotes the clearest law, in the ardour and vehemence of his rancour. I disdain his moderation—I scorn his forbearance—I tell him he knows not the law if he thinks as he says ; and if he thinks so, I tell him to his beard, that he is not *honest* in not having sooner prosecuted us, and I challenge him to that prosecution.

“It is strange—it is melancholy, to reflect on the miserable and mistaken pride that must inflate him to talk as he does of the Catholic Board. The Catholic Board is composed of men—I include not myself—of course, I always except myself—every way his superiors, in birth, in fortune, in talents, in rank. What ! is he to talk of the Catholic Board lightly ? At their head is the Earl of Fingal, a nobleman whose exalted rank stoops beneath the superior station of his virtues—whom even the venal minions of power must respect. We are engaged, patiently and perseveringly engaged, in a struggle through the open channels of the constitution for our liberties. The son of the ancient earl whom I have mentioned cannot in his native land attain any honourable distinction of the state, and yet Mr. Attorney-General knows that they are open to every son of every bigoted and intemperate stranger that may settle amongst us.

“But this system cannot last ; he may insult, he may calumniate, he may prosecute ; but the Catholic cause is on its *majestic march* ; its progress is rapid and obvious ; it is cheered in its advance, and aided by all that is dignified and dispassionate—by everything that is patriotic—by all the honour, all the integrity of the empire ; and its success is just as certain as the return of to-morrow’s sun, and the close of to-morrow’s eve.

“*We will—we must soon be emancipated*, in despite of the Attorney-General, aided as he is by his august allies, the aldermen of Skinner’s-alley. In despite of the Attorney-General and the aldermen of Skinner’s-alley, our emancipation is certain, and not distant.

“I have no difficulty in perceiving the motive of the Attorney-General, in devoting so much of his medley oration to the Catholic question, and to the expression of his bitter hatred to us, and of his determination to ruin our hopes. It had, to be sure, no connection with the cause, but it had a direct and natural connection with you. He has been, all his life, reckoned a man of consummate cunning

and dexterity; and whilst one wonders that he has so much exposed himself upon those prosecutions, and accounts for it by the proverbial blindness of religious zeal, it is still easy to discover much of his native cunning and dexterity. Gentlemen, he thinks he knows his men—he knows you; many of you signed the no-papery petition; he heard one of you boast of it; he knows you would not have been summoned on this jury, if you had entertained liberal sentiments; he knows all this, and, therefore, it is that he, with the artifice and cunning of an experienced *nisi prius* advocate, endeavours to win your confidence, and command your affections by the display of his congenial illiberality and bigotry.

“You are all, of course, Protestants; see what a compliment he pays to your religion and his own, when he endeavours thus to procure a verdict on your oaths; when he endeavours to seduce you to what, if you were so seduced, would be perjury, by indulging your prejudices, and flattering you by the coincidence of his sentiments and wishes. Will he succeed, gentlemen? Will you allow him to draw you into a perjury out of zeal for your religion? And will you violate the pledge you have given to your God to do justice, in order to gratify your anxiety for the ascendancy of what you believe to be his church? Gentlemen, reflect on the strange and monstrous inconsistency of this conduct, and do not commit, if you can avoid it, the pious crime of violating your solemn oaths, in aid of the pious designs of the Attorney-General against popery.

“Oh, gentlemen! it is not in any lightness of heart I thus address you—it is rather in bitterness and sorrow; you did not expect flattery from me, and my client was little disposed to offer it to you; besides, of what avail would it be to flatter, if you came here pre-determined, and it is too plain that you are not selected for this jury from any notion of your impartiality?

“But when I talk to you of your oaths and of your religion, I would full fain I could impress you with a respect for both the one and the other. I, who do not flatter, tell you, that though I do not join with you in belief, I have the most unfeigned respect for the form of Christian faith which you profess. Would that its substance, not its forms and temporal advantages, were deeply impressed on your minds! then should I not address you in the cheerless and hopeless despondency that crowds on my mind, and drives me to taunt you with the air of ridicule I do. Gentlemen, I sincerely respect and revere your religion, but I despise and I now apprehend

your prejudices, in the same proportion as the Attorney-General has cultivated them. In plain truth, every religion is good—every religion is true to him who, in his due caution and conscience, believes it. There is but one bad religion, that of a man who professes a faith which he does not believe; but the good religion may be, and often is, corrupted by the wretched and wicked prejudices which admit a difference of opinion as a cause of hatred.

“The Attorney-General, defective in argument—weak in his cause, has artfully roused your prejudices at his side. I have, on the contrary, met your prejudices boldly. If your verdict shall be for me, you will be certain that it has been produced by nothing but unwilling conviction resulting from sober and satisfied judgment. If your verdict be bestowed upon the artifices of the Attorney-General, you may happen to be right; but do you not see the danger of its being produced by an admixture of passion and prejudice with your reason? How difficult is it to separate prejudice from reason, when they run in the same direction. If you be men of conscience, then I call on you to listen to me, that your consciences may be safe, and your reason alone be the guardian of your oath, and the sole monitor of your decision.

“I now bring you to the immediate subject of this indictment. Mr. Magee is charged with publishing a libel in his paper called the *Dublin Evening Post*. His lordship has decided that there is legal proof of the publication, and I would be sorry you thought of acquitting Mr. Magee, under the pretence of not believing that evidence. I will not, therefore, trouble you on that part of the case; I will tell you, gentlemen, presently, what this publication is; but suffer me first to inform you what it is not—for this I consider to be very important to the strong, and in truth, triumphant defence which my client has to this indictment,

“Gentlemen, this is *not* a libel on Charles Lennox, Duke of Richmond, in his private or individual capacity. It does not interfere with the privacy of his domestic life. It is free from any reproach upon his domestic habits or conduct; it is perfectly pure from any attempt to traduce his personal honour or integrity. Towards the man, there is not the least taint of malignity; nay, the thing is still stronger. Of Charles Duke of Richmond, personally, and as disconnected with the administration of public affairs, it speaks in terms of civility and even respect. It contains this passage which I read from the indictment:—

“ ‘Had he remained what he first came over, or what he afterwards professed to be, he would have retained his reputation for *honest open hostility*, defending his political principles with firmness, perhaps with warmth, but without rancour; the supporter and not the tool of an administration; a mistaken politician, perhaps, but an honourable man, and a respectable soldier.’

“ The Duke is here in this libel, my lords—in this libel, gentlemen of the jury, the Duke of Richmond is called an honourable man, and a respectable soldier! Could more flattering expressions be invented? Has the most mercenary Press that ever yet existed, the mercenary Press of this metropolis, contained in return for all the money it has received, any praise which ought to be so pleasing—‘an honourable man, and a respectable soldier?’ I do, therefore, beg of you, gentlemen, as you value your honesty, to carry with you in your distinct recollection, this fact, that whatever of evil this publication may contain, it does not involve any reproach against the Duke of Richmond, in any other than in his public and official character.

“ I have, gentlemen, next to require you to take notice, that this publication is not indicted as a seditious libel. The word seditious is, indeed, used as a kind of make-weight in the introductory part of the indictment. But mark, and recollect, that this is not an indictment for sedition. It is not, then, for private slander, nor for any offence against the constitution, that Mr. Magee now stands arraigned before you.

“ In the third place, gentlemen, there is this singular feature in this case, namely—that this libel, as the prosecutor calls it, is not charged in this indictment to be ‘false.’

“ The indictment has this singular difference from any other I have ever seen, that the assertions of the publications are not even stated to be false.

“ They have not had the courtesy to you, to state upon record, that these charges, such as they are, were contrary to the truth. This I believe to be the first instance in which the allegation of falsehood has been omitted. To what is this omission to be attributed? Is it that an experiment is to be made, how much further the doctrine of the criminality of truth can be drawn? Does the prosecutor wish to make another bad precedent? or is it in contempt of any distinction between truth and falsehood, that this charge is thus framed; or does he fear that you would scruple to convict,

if the indictment charged that to be false, which you all know to be true?

"However that may be, I will have you to remember, that you are now to pronounce upon a publication, *the truth of which is not controverted*. Attend to the case, and you will find you are not to try Mr. Magee for sedition which may endanger the state, or for private defamation which may press sorely upon the heart, and blast the prospects of a private family; and that the subject matter for your decision is not characterized as false, or described as untrue.

"Such are the circumstances which accompany this publication, on which you are to pronounce a verdict of guilt or innocence. The case is with you; it belongs to you exclusively to decide it. His lordship may advise, but he cannot control your decision, and it belongs to you alone to say whether or not, upon the entire matter, you conceive it to be evidence of guilt, and deserving of punishment. The statute law gives or recognises this your right, and, therefore, imposes this on you as your duty. The legislative has precluded any lawyer from being able to dictate to you. The Solicitor-General cannot now venture to promulgate the slavish doctrine which he addressed to Doctor Sheridan's jury, when he told them, 'not to *presume* to differ from the Court in matter of law.' The law and the fact are here the same, namely—the guilty or innocent design of the publication.

"Indeed, in any criminal case, the doctrine of the Solicitor-General is intolerable. I enter my solemn protest against it. The verdict which is required from a jury in any criminal case has nothing special in it—it is not the finding of the fact in the affirmative or negative—it is not, as in Scotland, that the charge is proved or not proved. No; the jury is to say whether the prisoner be guilty or not; and could a juror find a true verdict, who declared a man guilty upon evidence of some act, perhaps praiseworthy, but clearly void of evil design or bad consequences?

"I do, therefore, deny the doctrine of the learned gentleman; it is not constitutional, and it would be frightful if it were. *No judge can dictate to a jury*—no jury ought to allow itself to be dictated to.

"If the Solicitor-General's doctrine were established, see what oppressive consequences might result. At some future period, some man may attain the first place on the bench, by the reputation which is so easily acquired by a certain degree of church-wardening piety,

added to a great gravity, and maidenly decorum of manners. Such a man *may* reach the bench—for I am putting a mere imaginary case—HE may be a man without PASSIONS, and THEREFORE without VICES; he may, my lord, be a man superfluously RICH, and, therefore, not to be BRIBED with MONEY, but rendered PARTIAL by his BIGOTRY, and CORRUPTED by his PREJUDICES; such a man, INFLATED by FLATTERY, and BLOATED in his dignity, may hereafter use that character for SANCTITY which has served to promote him, as a sword, to hew down the struggling liberties of his country; such a judge may interfere before trial! and at the trial be a PARTISAN!

“Gentlemen, should an honest jury—could an honest jury (if an honest jury were again found) listen with safety to the dictates of such a judge? I repeat it, therefore, that the Solicitor-General is mistaken—that the law does not, and cannot, require such a submission as he preached; and at all events, gentlemen, it cannot be controverted, that in the present instance, that of an alleged libel, the decision of all law and fact belongs to *you*.

“I am then warranted in directing to you some *observations* on the *law of libel*, and in doing so, I disclaim any apology for the consumption of the time necessary for my purpose. Gentlemen, my intention is to lay before you a short and rapid view of the causes which have introduced into courts the monstrous assertion—*that truth is crime!*

“It is to be deeply lamented, that the art of printing was unknown at the earlier periods of our history. If, at the time the barons wrung the simple but sublime charter of liberty from a timid, perfidious sovereign, from a violator of his word, from a man covered with disgrace, and sunk in infamy—if at the time when that charter was confirmed and renewed, the Press had existed, it would, I think, have been the first care of those friends of freedom to have established a principle of liberty for it to rest upon, which might resist every future assault. Their simple and unsophisticated understandings could never be brought to comprehend the legal subtleties by which it is now argued, that falsehood is useful and innocent, and truth, the emanation and the type of heaven, a crime. They would have cut with their swords the cobweb links of sophistry in which truth is entangled; and they would have rendered it impossible to re-establish this injustice without violating a principle of the constitution.

"But in the ignorance of the blessing of a *free Press*, they could not have provided for its security. There remains, however, an expression of their sentiments on our statute books. The ancient parliament did pass a law against the spreaders of FALSE rumours. This law proves two things—first, that before this statute, it was not considered a crime in law to spread even a false rumour, otherwise the statute would have been unnecessary; and secondly, that in their notion of crime, falsehood was a necessary ingredient. But here I have to remark upon, and regret the strange propensity of judges, to construe the law in favour of tyranny, and against liberty; for servile and corrupt judges soon decided, that upon the construction of this law, it was immaterial whether the rumours were true or false, and that a law made to punish false rumours, *was equally applicable to the true*.

"This, gentlemen, is called CONSTRUCTION; it is just that which, in more recent times, and of inevitable consequence, from purer motives, has converted '*pretence*' into '*purpose*.'

"When the art of printing was invented, its value to every sufferer—its terror to every oppressor, was soon obvious, and means were speedily adopted to prevent its salutary effects. The Star-Chamber—the odious Star-Chamber, was either created, or, at least, enlarged and brought into activity. Its proceedings were arbitrary—its decisions were oppressive, and injustice and tyranny were formed into a system. To describe it to you in one sentence, it WAS A PREMATURELY PACKED JURY. Perhaps that description does not shock you much. Let me report one of its decisions which will, I think, make its horrors more sensible to you—it is a ludicrous as well as a melancholy instance.

"A tradesman—a ruffian, I presume," he was styled—in an altercation with a nobleman's servant, called the swan, which was worn on the servant's arm for a badge, a goose. For this offence—the calling a nobleman's badge of a swan, a goose, he was brought before the Star-Chamber—he was, of course, convicted; he lost, as I recollect, one of his ears on the pillory—was sentenced to two years' imprisonment, and a fine of £500; and all this to teach him to *distinguish swans from geese*.

"I now ask you, to what is it you tradesmen and merchants are indebted for the safety and respect you can enjoy in society? What is it which has rescued you from the slavery in which persons who are engaged in trade were held by the iron barons of former days?

I will tell you; it is the light, the reason, and the liberty which have been created, and will, in despite of every opposition, be perpetuated by the exertion of the Press.

"Gentlemen, the Star-Chamber was particularly vigilant over the infant struggles of the Press. A code of laws became necessary to govern the new enemy to prejudice and oppression—the Press. The Star-Chamber adopted, for this purpose, the civil law, as it is called—the law of Rome—not the law at the periods of her liberty and her glory,* but the law which was promulgated when she fell into slavery and disgrace, and recognised this principle, that the will of the prince was the rule of the law. The civil law was adopted by the Star-Chamber as its guide in proceedings against, and in punishing libellers; but, unfortunately, only part of it was adopted, and that, of course, was the part least favourable to freedom. So much of the civil law as assisted to discover the concealed libeller, and to punish him when discovered, was carefully selected; but the civil law allowed truth to be a defence, and that part was carefully rejected.

"The Star-Chamber was soon after abolished. It was suppressed by the hatred and vengeance of an outraged people, and it has since, and until our days, lived only in the recollection of abhorrence and contempt. But we have fallen upon bad days and evil times; and in our days we have seen a lawyer, long of the prostrate and degraded bar of England, presume to suggest an high eulogium on the Star-Chamber, and regret its downfall; and he has done this in a book dedicated, by permission, to Lord Ellenborough. This is, perhaps, an ominous circumstance; and as Star-Chamber punishments have been revived—as two years of imprisonment has become familiar, I know not how soon the useless lumber of even well-selected juries may be abolished, and a new Star-Chamber created.

"From the Star-Chamber, gentlemen, the prevention and punishment of libels descended to the courts of common law, and with the power they seem to have inherited much of the spirit of that tribunal. Servility at the bar, and profligacy on the bench, have not been wanting to aid every construction unfavourable to freedom, and at length it is taken as granted and as clear law, that truth or falsehood are quite immaterial circumstances, constituting no part of either guilt or innocence.

"I would wish to examine this revolting doctrine, and, in doing so, I am proud to tell you, that it has no other foundation than in the oft-

repeated assertions of lawyers and judges. Its authority depends on what are technically called the *dicta* of the judges and writers, and not upon solemn or regular adjudications on the point. One servile lawyer has repeated this doctrine, from time to time, after another—and one overbearing judge has re-echoed the assertion of a time-serving predecessor, and the public have, at length, submitted.

“I do, therefore, feel, not only gratified in having the occasion, but bound to express my opinion upon the real law of this subject. I know that opinion is but of little weight. I have no professional rank, or station, or talents to give it importance, but it is an honest and conscientious opinion, and it is this—that in the discussion of *public subjects*, and of the administration of *public men*, *truth* is a duty and not *a crime*.

“You can, at least, understand *my* description of the liberty of the Press. That of the Attorney-General is as unintelligible as contradictory. He tells you, in a very odd and quaint phrase, that the liberty of the Press consists in there being no previous restraint upon the tongue or the pen. How any *previous* restraint could be imposed on the tongue it is for this wisest of men to tell you, unless, indeed, he resorts to Doctor Lad’s prescription with respect to the toothache eradication. Neither can the absence of previous restraint constitute a free Press, unless, indeed, it shall be distinctly ascertained, and clearly defined, what shall be subsequently called a crime. If the crime of libel be undefined, or uncertain, or capricious, then, instead of the absence of restraint before publication being an advantage, it is an injury instead of its being a blessing; it is a curse—it is nothing more than a pitfall and snare for the unwary. This liberty of the Press is only an opportunity and a temptation offered by the law to the commission of crime—it is a trap laid to catch men for punishment—it is not the liberty of discussing truth or discountenancing oppression, but a mode of rearing up victims for prosecution, and of seducing men into imprisonment.

“Yet, can any gentleman concerned for the Crown give me a definition of the crime of libel? Is it not uncertain and undefined; and, in truth, is it not, at this moment, quite subject to the caprice and whim of the judge and of the jury? Is the Attorney-General—the Solicitor-General disposed to say otherwise? If he do, he must contradict his own doctrine, and adopt mine.

“But no, gentlemen, they must leave you in uncertainty and doubt, and ask you to give a verdict, on your oath, without furnish-

ing you with any rational materials to judge whether you be right or wrong. Indeed, to such a wild extent of caprice has Lord Ellenborough carried the doctrine of crime in libel, that he appears to have gravely ruled, that it was a crime to call one lord 'a stout-built, special pleader,' although, in point of fact, that lord was stout-built, and had been very many years a special pleader. And that it was a crime to call another lord 'a sheep-feeder from Cambridgeshire,' although that lord was right glad to have a few sheep in that county. These are the extravagant vagaries of the Crown lawyers and prerogative judges; you will find it impossible to discover any rational rule for your conduct, and can never rest upon any satisfactory view of the subject, unless you are pleased to adopt my description. Reason and justice equally recognize it, and believe me, that genuine law is much more closely connected with justice and reason than some persons will avow.

"Gentlemen, you are now apprised of the nature of the alleged libel; it is a discussion upon the administration of public men. I have also submitted to you my view of the law applicable to such a publication; we are, therefore, prepared to go into the consideration of every sentence in the newspaper in question.

"But before I do so, just allow me to point your attention to the motives of this young gentleman. The Attorney-General has threatened him with fine and a dungeon; he has told Mr. Magee that he should suffer in his purse and in his person. Mr. Magee knew his danger well. Mr. Magee, before he published this paper, was quite apprised that he ran the risk of fine and of imprisonment. He knew also that if he changed his tone—that if he became merely neutral, but especially, if he went over to the other side and praised the Duke of Richmond—if he had sufficient gravity to talk, without a smile, of the sorrow of the people of Ireland at his grace's departure—if he had a visage sufficiently lugubrious, to say so without laughing, to cry out 'mournfully, oh! mournfully!' for the departure of the Duke of Richmond—if, at a period when the people of Ireland, from Magherafelt to Dingledeecouch, are rejoicing at that departure, Mr. Magee could put on a solemn countenance and pick up a grave and narcotic accent, and have the resolution to assert the sorrow of the people for losing so sweet and civil a Lord Lieutenant—why, in that case, gentlemen, you know the consequences. They are obvious. He might libel certain classes of his Majesty's subjects with impunity; he would get abundance of money, a place, and a pension—

you know he would. The proclamations would be inserted in his paper. The wide-street advertisements, the ordnance, the barrack-board notices, and the advertisements of all the other public boards and offices—you can scarcely calculate how much money he sacrifices to his principles. I am greatly within bounds when I say, at least, £5,000 per annum, of the public money, would reach him if he was to alter his tone, and abandon his opinions.

“Has he instructed me to boast of the sacrifices he thus makes? No, gentlemen, no, no; he deems it no sacrifice, because he desires no share in the public plunder; but I introduce this topic to demonstrate to you the purity of his intentions. He cannot be actuated, in the part he takes, by mean or mercenary motives; it is not the base lucre of gain that leads him astray. If he be mistaken, he is, at least, disinterested and sincere. You may dislike his political opinions, but you cannot avoid respecting the independence of his principles.

“Behold, now, the publication which this man of pure principles is called to answer for as a libel. It commences thus:—

“‘DUKE OF RICHMOND.

“‘As the Duke of Richmond will shortly retire from the government of Ireland, it has been deemed necessary to take such a review of his administration, as may, at least, warn his successor from pursuing the errors of his grace’s conduct.

“‘The review shall contain many anecdotes of the Irish court which were never published, and which were so secret, that his grace will not fail to be surprised at the sight of them in a newspaper.’

“In this paragraph there is nothing libellous; it talks of the errors, indeed, of his grace’s administration; but I do not think the Attorney-General will venture to suggest, that the gentle expression of ‘errors,’ is a libel.

“To err, gentlemen, is human: and his grace is admitted, by the Attorney-General, to be but a man; I shall waste none of your time in proving, that we may, without offence, treat of his ‘errors.’ But this is not even the errors of the man, but of his administration; it was not infallible, I humbly presume.

“I call your particular attention to the second paragraph; it runs thus:—

“‘If the administration of the Duke of Richmond had been con-

ducted with more than ordinary talent, its errors might, in some degree have been atoned for by its ability, and the people of Ireland though they might have much to regret, yet, would have something to admire; but truly, after the gravest consideration, they must find themselves at a loss to discover any striking feature in his grace's administration, that makes it superior to the worst of his predecessors.'

"The Attorney-General dwelt much upon this paragraph, gentlemen, and the importance which he attached to it furnishes a strong illustration of his own consciousness of the weakness of his case. What is the meaning of this paragraph? I appeal to you whether it be more than this,—that there has been nothing admirable in this administration—that there has not been much ability displayed by it. So far, gentlemen, there is, indeed, no flattery, but still less of libel, unless you are prepared to say, that to withhold praise from any administration deserves punishment.

"Is it an indictable offence not to perceive its occult talents? Why, if it be, find my client guilty of not being a sycophant and a flatterer, and send him to prison for two years to gratify the Attorney-General, who tells you that the Duke of Richmond is the *best* chief governor Ireland ever saw.

"But the mischief, I am told, lies in the art of the sentence. Why, all that it says is, that it is difficult to discover the striking features that distinguish this from bad administrations. It does not, gentlemen, assert that no such striking features exist, much less does it assert that no features of that kind exist, or that such features, although not striking are not easily discernible. So that, really, you are here again required to convict a man for not flattering. He thinks an administration untalented and silly; that is no crime; he says, it has not been marked with talent or ability—that it has no striking features; all this may be mistaken and false, yet there is nothing in it that resembles a crime.

"And, gentlemen, *if it be true*—if this *be* a foolish administration, can it be an offence to say so? If it has had no striking features to distinguish it from bad administrations, can it be criminal to say so? Are you prepared to say, that not one word of truth can be told under no less a penalty than years of a dungeon and heavy fines?

"Recollect, that the Attorney-General told you that the Press was the protection of the people against the government. Good Heaven! gentlemen, how can it protect the people against the govern-

ment, if it be a crime to say of that government that it has committed errors, displays little talent, and has no striking features? Did the prosecutor mock you, when he talked of the protection the Press afforded to the people? If he did not insult you by the admission of that upon which he will not allow you to act, let me ask, against what is the Press to protect the people? When do the people want protection?—when the government is engaged in delinquencies, oppression, and crimes. It is against these that the people want the protection of the Press. Now, I put it to your plain sense, whether the Press can afford such protection, if it be punished for treating of these crimes?

“Still more, can a shadow of protection be given by a Press that is not permitted to mention the errors, the talents, and the striking features of an administration? Here is a watchman admitted by the Attorney-General to be at his post to warn the people of their danger, and the first thing that is done to this watchman is to knock him down and bring him to a dungeon, for announcing the danger he is bound to disclose. I agree with the Attorney-General, the Press is a protection, but it is not in its silence or in its voice of flattery. It can protect only by speaking out when there is danger, or error, or want of ability. If the harshness of this tone be complained of, I ask, what is it the Attorney-General would have? Does he wish that this protection should speak so as not to be understood; or, I again repeat it, does he mean to delude us with the name and the mockery of protection? Upon this ground, I defy you to find a verdict for the prosecutor, without declaring that he has been guilty of an attempt to deceive, when he talked of the protection of the Press against errors, ignorance, and incapacity, which it is not to dare even to name. Gentlemen, upon this second paragraph, I am entitled to your verdict, upon the Attorney-General's own admission.

“He, indeed, passed on to the next sentence with an air of triumph, with the apparent certainty of its producing a conviction; I meet him upon it—I read it boldly—I will discuss it with you manfully—it is this:

“‘They insulted, they oppressed, they murdered, and they deceived.’

“The Attorney-General told us, rather ludicrously, that they, meaning the Duke's predecessors, included, of course, himself. How a man could be included amongst his predecessors, it would be difficult to discover. It seems to be that mode of expression which

would indicate, that the Attorney-General, notwithstanding his foreign descent, has imbibed some of the language of the native Irish. But our blunders arise, not like this, from a confusion of idea; they are generally caused by too great condensation of thought; they are, indeed, frequently of the head, but never—never of the heart. Would I could say so much for the Attorney-General; his blunder is not to be attributed to his cool and cautious head; it sprung, I much fear, from the misguided bitterness of the bigotry of his heart.

“Well, gentlemen, this sentence does, in broad and distinct terms, charge the predecessors of the Duke, but not the Duke himself, with insult, oppression, murder, and deceit. But it is history, gentlemen: are you prepared to silence the voice of history? Are you disposed to suppress the recital of facts—the story of the events of former days? Is the historian, and the publisher of history, to be exposed to indictment and punishment?

“Let me read for you two passages from Doctor Leland’s History of Ireland. I choose a remote period, to avoid shocking your prejudices, by the recital of the more modern crimes of the faction to which most of you belong. Attend to this passage, gentlemen.

“‘Anno 1574.—A solemn peace and concord was made between the Earl of Essex and Felim O’Nial. However, at a feast, wherein the Earl entertained that chieftain, and at the end of their good cheer, O’Nial, with his wife, were seized; their friends, who attended, were put to the sword before their faces. Felim, together with his wife and brother, were conveyed to Dublin, where they were cut up in quarters.’

“How would you have this fact described? In what lady-like terms is the future historian to mention this savage and brutal massacre. Yet Essex was an English nobleman—a predecessor of his Grace; he was accomplished, gallant, and gay; the envied paramour of the virgin queen; and, if he afterwards fell on the scaffold, one of the race of the ancient Irish may be permitted to indulge the fond superstition that would avenge the royal blood of the O’Nial and of his consort, on their perfidious English murderer.

“But my soul fills with bitterness, and I will read of no more Irish murders. I turn, however, to another page, and I will introduce to your notice another predecessor of his Grace the Duke of Richmond. It is Grey, who, after the recall of Essex, commanded the English forces in Munster. The fort of Smerwick, in Kerry,

surrendered to Grey at discretion. It contained some Irish troops, and more than 700 Spaniards. The historian shall tell you the rest :

“ ‘That mercy for which they sued was rigidly denied them. Wingfield was commissioned to disarm them, and when this service was performed, an English company was sent into the fort.

“ ‘The Irish rebels found they were reserved for execution by martial law.

“ ‘The Italian general and some officers were made prisoners of war : but the garrison *was butchered in cold blood* ; nor is it without pain, that we find a service, so horrid and detestable, committed to Sir Walter Raleigh.’

“ ‘The garrison was butchered in cold blood,’ says the historian. Furnish us, Mr. Attorney-General, with gentle accents and sweet words, to speak of this savage atrocity ; or will you indict the author ? Alas ! he is dead, full of years and respect—as faithful an historian as the prejudices of his day would allow, and a beneficed clergyman of your church.

“ Gentlemen of the jury, what is the mild language of this paper compared with the indignant language of history ? Raleigh—the ill-starred Raleigh—fell a victim to a tyrant master, a corrupt or overawed jury, and a virulent Attorney-General ; he was baited at the bar with language more scurrilous and more foul than that you heard yesterday poured upon my client. Yet, what atonement to civilization could his death afford for the horrors I have mentioned ?

“ Decide, now, gentlemen, between those libels—between that defamer’s history and my client. He calls those predecessors of his grace, murderers. History has left the living records of their crimes from the O’Nial, treacherously slaughtered, to the cruel, cold butchery of the defenceless prisoners. Until I shall see the publishers of Leland and of Hume brought to your bar, I defy you to convict my client.

“ To show you that my client has treated these predecessors of his grace with great lenity, I will introduce to your notice one, and only one more of them ; and he, too, fell on the scaffold—the unfortunate Strafford, the best servant a despotic king could desire.

“ Amongst the means taken to raise money in Ireland for James the First, and his son Charles, a proceeding called ‘a commission to inquire into defective titles,’ was invented. It was a scheme, gentlemen, to inquire of every man what right he had to his own property, and to have it solemnly and legally determined that he had none. To

effectuate this scheme required great management, discretion, and integrity. First, there were 4,000 excellent horse raised for the purpose of being, as Strafford himself said, 'good lookers-on.' The rest of the arrangement I would recommend to modern practice; it would save much trouble. I will shortly abstract it from two of Strafford's own letters.

"The one appears to have been written by him to the Lord Treasurer; it is dated the 3rd December, 1634. He begins with an apology for not having been more expeditious in this work of plunder, for his employers were, it seems, impatient at the melancholy waste of time. He then says—

"'Howbeit, I will redeem the time as much as I can, with such as may give furtherance to the king's title, *and will inquire out FIT MEN TO SERVE UPON THE JURIES.*'

"Take notice of that, gentlemen, I pray you; perhaps you thought that the 'packing of juries' was a modern invention—a new discovery. You see how greatly mistaken you were; the thing has example and precedent to support it, and the authority of both are, in our law, quite conclusive.

"The next step was to corrupt—oh, no, to interest the wise and learned judges. But commentary becomes unnecessary, when I read for you this passage from a letter of his to the King, dated the 9th of December, 1636:—

"'Your Majesty was graciously pleased, upon my humble advice, to bestow four shillings in the pound upon your Lord Chief Justice and Lord Chief Baron in this kingdom, fourth of the first yearly rent raised upon the commission of defective title, which, *upon observation, I find to be the best given that ever was.* For now they do intend it, with a care and diligence, such as if it were their own private, and most certain gaining to themselves; every four shillings once paid, shall better your revenue for ever after, at least five pounds.'

"Thus, gentlemen of the jury, all was ready for the mockery of law and justice, called a trial.

"Now, let me take any one of you; let me place him here, where Mr. Magee stands; let him have his property at stake; let it be of less value, I pray you, than a compensation for two years' imprisonment; it will, however, be of sufficient value to interest and rouse all your agony and anxiety. If you were so placed here, you would see before you the well-paid Attorney-General, perhaps, malignantly delighted to pour his rancour upon you; on the bench would sit the corrupt

and partisan judge, and before you, on that seat which you now occupy, would be placed the packed and predetermined jury.

“I beg, sir, to know what would be your feelings, your honour, your rage; would you not compare the Attorney-General to the gambler who played with a loaded die, and then you would hear him talk, in solemn and monotonous tones, of his conscience! Oh, his conscience, gentlemen of the jury!

“But the times are altered. The Press, the Press, gentlemen, has effectuated a salutary revolution; a commission of defective titles would no longer be tolerated; the judges can no longer be bribed with money, and juries can no longer be —— I must not say it. Yes, they can, you know—we all know they can be still *inquired out*, and ‘packed,’ as the technical phrase is. But *you*, who are not packed, *you*, who have been *fairly* selected, will see that the language of the publication before us is mildness itself, compared with that which the truth of history requires—compared with that which history has already used.

“I proceed with this alleged libel.

“The next sentence is this—

“‘The profligate, unprincipled Westmoreland.’ I throw down the paper and address myself in particular to some of you. There are, I see, amongst you some of our Bible distributors, ‘and of our suppressors of vice.’ Distributors of Bibles, suppressors of vice—what call you profligacy? What is it you would call profligacy? Suppose the peerage was exposed to sale—set up at open auction—it was at that time a judicial office—Suppose that its price, the exact price of this judicial office, was accurately ascertained by daily experience—would you call that profligacy? If pensions were multiplied beyond bounds and beyond example—if places were augmented until invention was exhausted, and then were subdivided and split into halves, so that two might take the emoluments of each, and no person do the duty—if these acts were resorted to in order to corrupt your representatives—would you, gentle suppressors of vice, call that profligacy?

“If the father of children selected in the open day his adúlteress paramour—if the wedded mother of children displayed her crime unblushingly—if the assent of the titled or untitled wittol to his own shame was purchased with the people’s money—if this scene—if these were enacted in the open day, would you call that profligacy, sweet distributors of Bibles? The women of Ireland have always been

beauteous to a proverb; they were without an exception, chaste beyond the terseness of a proverb to express; they are still as chaste as in former days, but the depraved example of a depraved court has furnished some exceptions, and the action or criminal conversation, before the time of Westmoreland unknown, has since become more familiar to our courts of justice.

“Call you the sad example which produced those exceptions—call you *that* profligacy, suppressors of vice and Bible distributors? The vices of the poor are within the reach of control; to suppress them, you can call in aid the churchwarden and the constable; the justice of the peace will readily aid you, for he is a gentleman—the Court of Sessions will punish those vices for you by fine, by imprisonment, and, if you are urgent, by whipping. But, suppressors of vice, who shall aid you to suppress the vices of the great? Are you sincere, or are you, to use your own phraseology, whitewashed tombs—painted charnel-houses? Be ye hypocrites? If you are not—if you be sincere—(and, oh, how I wish that you were)—if you be sincere, I will steadily require to know of you, what aid you expect, to suppress the vices of the rich and great? Who will assist you to suppress those vices? The churchwarden—why he, I believe, banded *them* into the best pew in one of your cathedrals, that they might lovingly hear Divine service together. The constable!!—absurd. The justice of the peace!—no, upon his honour. As to the Court of Sessions, you cannot expect it to interfere; and, my lords, the judges are really so busy at the assizes, in hurrying the grand juries through the presentments, that there is no leisure to look after the scandalous faults of the great. Who, then, sincere and candid suppressors of vice, can aid you?—*The Press*; the Press alone talks of the profligacy of the great; and, at least, shames into decency those whom it may fail to correct. The Press is your, but your only, assistant. Go, then, men of conscience, men of religion—go, then, and convict John Magee, because he published that Westmoreland was profligate and unprincipled as a lord lieutenant—do, convict, and then return to your distribution of Bibles and to your attacks upon the recreations of the poor, under the name of vices!

“Do, convict the only aid which virtue has, and distribute your Bibles that you may have the name of being religious; upon your sincerity depends my client's prospect of a verdict. *Does* he lean upon a broken reed?

"I pass on from the sanctified portion of the jury which I have latterly addressed, and I call the attention of you all to the next member of the sentence—

" 'The cold-hearted and cruel Camden.'

"Here I have your prejudices all armed against me. In the administration of Camden, your faction was cherished and triumphant. Will you prevent him to be called cold and cruel? Alas! to-day, why have I not men to address who would listen to me for the sake of impartial justice! But even with *you* the case is too powerful to allow me to despair."

"Well, *I do* say, the cold and cruel Camden. Why, on *one circuit*, during his administration, there were ONE HUNDRED INDIVIDUALS TRIED BEFORE ONE JUDGE; OF THESE NINETY-EIGHT WERE CAPITALLY CONVICTED, AND NINETY-SEVEN HANGED! I understand *one* escaped; but he was a *soldier* who murdered a *peasant*, or something of that TRIVIAL nature—NINETY-SEVEN victims in one circuit!!!

"In the meantime, it was necessary, for the purposes of the Union, that the flame of rebellion should be fed. The meetings of the rebel colonels in the north were, for a length of time, regularly reported to government; but the rebellion was not then ripe enough: and whilst the fruit was coming to maturity, under the fostering hand of the Administration, the wretched dupes atoned on the gallows for allowing themselves to be deceived.

"In the meantime the soldiery were turned in at free quarters amongst the wives and daughters of the peasantry!!!

"Have you heard of Abercrombie, the valiant and the good—he who, mortally wounded, neglected his wound until victory was ascertained—he who allowed his life's stream to flow unnoticed because his country's battle was in suspense—he who died the martyr of victory—he who commenced the career of glory on the land, and taught French insolence, than which there is nothing so permanent—even transplanted, it exhibits itself to the third and fourth generation—he taught French insolence, that the British and Irish soldier was as much his superior by land as the sailor was confessedly by sea—he, in short, who commenced that career which has since placed the Irish Wellington on the highest pinnacle of glory. Abercrombie and Moore were in Ireland under Camden. Moore, too, has since fallen at the moment of triumph—Moore, the best of sons, of brothers, of friends, of men—the soldier and the scholar—the

soul of reason and the heart of pity—Moore has, in documents of which you may plead ignorance, left his opinions upon record with respect to the cruelty of Camden's administration. But you all have heard of Abercrombie's proclamation, for it amounted to that; he proclaimed that cruelty in terms the most unequivocal; he stated to the soldiery and to the nation, that the conduct of the Camden Administration had rendered 'the soldiery formidable to all but the enemy.'

"Was there no cruelty in thus degrading the British soldier? And say, was not the process by which that degradation was effectuated cruelty? Do, then, contradict Abercrombie, upon your oaths, if you dare; but, by doing so, it is not my client alone you will convict—you will also convict yourselves of the foul crime of perjury.

"I now come to the third branch of this sentence; and here I have an easy task. All, gentlemen, that is said of the artificer and superintendent of the Union is this—'the artful and treacherous Cornwallis.' Is it necessary to prove that the Union was effectuated by artifice and treachery? For my part, it makes my blood boil when I think of the unhappy period which was contrived and seized on to carry it into effect; one year sooner, and it would have made a revolution—one year later, and it would have been for ever impossible to carry it. The moment was artfully and treacherously seized on, and our country, that *was* a nation for countless ages, has dwindled into a province, and her name and her glory are extinct for ever.

"I should not waste a moment upon this part of the case, but that the gentlemen at the other side who opposed that measure have furnished me with some topics which I may not, cannot omit. Indeed Mr. Magee deserves no verdict from any Irish jury, who can hesitate to think that the contriver of the Union is treated with too much lenity in this sentence; he fears your disapprobation for speaking with so little animosity of the artificer of the Union.

"There was one piece of treachery committed at that period, at which both you and I equally rejoice; it was the breach of faith towards the leading Catholics; the written promises made them at that period have been since printed; I rejoice with you that they were not fulfilled; when the Catholic trafficked for his own advantage upon his country's miseries, he deserved to be deceived. For this mockery, I thank the Cornwallis administration. *I rejoice, also,*

that my first introduction to the stage of public life, was in the opposition to that measure.

"In humble and obscure distance, I followed the footsteps of my present adversaries. What their sentiments were then of the authors of the Union, I beg to read to you; I will read them from a newspaper set up for the mere purpose of opposing the Union, and conducted under, the control of these gentlemen. If their editor should be gravely denied, I shall only reply—'oh cease your funning.'*

"The charge of being a Jacobin, was at that time made against the present Attorney-General—him, plain William Saurin—in the very terms, and with just as much truth as he now applies it to my client. His reply shall serve for that of Mr. Magee. I take it from the anti-Union of the 22nd March, 1800.

"To the charge of Jacobin, Mr. Saurin said he knew not what it meant, 'as applied to him, *except it was an opposition to the will of the British minister.*'

"So says Mr. Magee; but, gentlemen, my eye lights upon another passage of Mr. Saurin's, in the same speech from which I have quoted the above. It was in these words:—

"Mr. Saurin admitted, that debates might sometimes produce *agitations*, but that was the *PRICE necessarily paid for liberty.*

"Oh, how I thank this good* Jew for the word. Yes, agitation is, as Mr. Saurin well remarked, the price necessarily paid for liberty. We have paid the price, gentlemen, and the honest man refuses to give us the goods. (Much laughing.)

"Now, gentlemen, of this Mr. Saurin, then an agitator, I beg leave to read the opinion upon this Union, the author of which we have only called artful and treacherous. From this speech of the 13th March, 1800, I select those passages:

"Mr. Saurin said he felt it his duty to the crown, to the country, and to his family, to warn the minister of the dreadful consequences of persevering in a measure which the people of Ireland *almost unanimously disliked.*

"And again—

"He, for one, would assert the principles of the glorious revolution, and boldly declare in the face of the nation, that when the

* A pamphlet under this title was published by the Solicitor-General; it was full of wit and talent.

Sovereign power dissolved the compact that existed between the government and the people, that moment the right of resistance accrues.

“Whether it would be prudent in the people to avail themselves of that right, would be another question. But if a legislative union were forced on the country, against the will of its inhabitants, it would be a *nullity*, and resistance to it would be a *struggle* against *usurpation*, and not a *resistance* against law.’

“May I be permitted just to observe, how much more violent this agitator of the year 1800, than we poor and timid agitators of the year 1813. When did we talk of resistance being a question of prudence? Shame upon the men who call us intemperate, and yet remember their own violence.

“But, gentlemen, is the Attorney-General at liberty to change the nature of things with his own official and professional prospects? I am ready to admit that he receives thousands of pounds by the year of the public monies, in his office of Attorney-General—thousands from the Crown-Solicitor—thousands, for doing little work, from the Custom-house; but does all this public booty with which he is loaded, alter the nature of things, or prevent that from being a deceitful measure, brought about by artful and treacherous means, against which Mr. Saurin, in 1800, preached the holy doctrine of insurrection, sounded the tocsin of resistance, and summoned the people of the land to battle against it, as against *usurpation*?

“In 1800, he absolves the subjects from their allegiance—if the usurpation, styled the Union will be carried—and he, this identical agitator, in 1813, indicts a man, and calls him a ruffian, for speaking of the contrivers of the Union, not as usurpers, but as artful, treacherous men. Gentlemen, pity the situation in which he has placed himself; and pray, do not think of inflicting punishment upon my client for his extreme moderation.

“It has been coarsely urged, and it will, I know, be urged in the splendid misrepresentations with which the Solicitor-General can so well distort the argument he is unable to meet—it will, I know, be urged by him, that having established the right to use this last paragraph—having proved that the predecessors of the Duke were oppressors and murderers, and profligate, and treacherous, that the libel is only aggravated thereby, as the first paragraph compares and combines the Duke of Richmond with the worst of his predecessors.

“This is a most fallacious assertion; and here it is that I could

wish I had to address a dispassionate and an enlightened jury. You are not, you know you are not, of the selection of my client. Had he the poor privilege of the sheep-stealer, there are, at least, ten of you who should never have been on his jury. But the jury he would select is not such a jury in his favour, as has been impanelled against him; he desires no favour; he would desire only that the most respectable and unprejudiced of your city should be selected for his trial; his only ambition would be perfect impartiality; he would desire, and I should desire for him, a jury whose verdict of conviction, if they did convict him, would produce a sense of error and a feeling more painful to his mind of being wrong than a star-chamber sentence.

"If I had to address such a jury, how easily could I show them that there is no comparison—no attempt at similitude. On the contrary, the object of the writer is clearly to make a contrast. Grey murdered; but he was an able statesman; his massacre was a crime, in itself, but eminently useful to his employers; it contributed mainly to secure the forfeiture of the overgrown territories of the House of Desmond. Essex was a murderer, but his extreme of vice was accompanied by great military services; he was principally instrumental in effectuating the conquest of Ireland—even his crimes served the cause of his royal mistress, and the territory of the slaughtered O'Nial became shire land; he had terrific cruelty to answer for, but he could give it some answer in the splendour and solidity of his services. So of Strafford—he was an eminent oppressor, but he was also eminently useful to his royal master.

"As to the Duke of Richmond, the contrast is intended to be complete—he has neither great crimes nor great virtues. He did not murder, like Essex and Grey, but he did not render any splendid services. In short, his administration has been directly the reverse of these. It has been marked by errors and not crimes. It has not displayed talents as they did; and it has no striking features as they had. Such is the fair, the rational, and the just construction which a fair, rational, and just jury would put upon it.

"Indeed, the Attorney-General seems to feel it was necessary for him to resort to other topics, in order to induce you to convict upon this part of the case. He tells you that this is the second time that the Duke of Richmond has been called a murderer. Gentlemen, in this indictment there is no allegation that the Duke is styled a murderer by this publication; if there had, he should be readily

acquitted, even for the variance; and when the Attorney-General resorts to Barry's case, he does it to inflame your passions, and mislead your understandings—and then what has the Irish Magazine to do with this trial?

“Walter Cox, with his Irish Magazine, is as good a Protestant as the king's Attorney-General, and probably quite as sincere in the profession of that religion, though by no means as much disposed to persecute those who differ from him in religious belief. Indeed, if he were a persecutor of his countrymen, he would not be where he is—in prison; he would probably enjoy a full share of the public plunder, and which is now lavished on the stupid journals in the pay of the Castle—from the versatile, venal, and verbose correspondent, to the equally dull and corrupt *Dublin Journal*.

“It is, however, not true, that he is in gaol because he published what is called a libel. The Attorney-General talked with a gloating pleasure of the miseries poor Watty Cox endures in gaol—miseries that seem to give poignancy and zest to the enjoyments of his prosecutor. I will make him happy; let him return from this court to his luxuries, and when he finds himself at his table, surrounded with every delicacy, and every profusion, remember that his prisoner Walter Cox is starving. I envy him not this relish, but I cannot suffer him to mislead you. Cox is not in gaol because he published a libel; he is there because he is poor. His time of imprisonment expired last February, but he was condemned to pay a fine of £300, and having no money, he has since remained in gaol. It is his poverty, therefore, and not his crime, that detains him within the fangs of the Attorney-General—if, indeed, there be any greater crime in society than being poor.

“And, next, the Attorney-General makes a beautiful eulogium on Magna Charta. There we agree. I should, indeed, prefer seeing the principles of that great charter called into practical effect, to hearing any palinode, however beautiful, said or sung, on its merits. But what recommendation can Magna Charta have for poor Cox? That charter of liberty expressly provides, that no man shall be fined beyond what he can pay. A very simple and natural provision against political severity. But Cox is fined £300, when he is not worth a single shilling. He appealed to this court for relief, and quotes Magna Charta. Your lordship was not pleased to give him any relief. He applies to the Court of Exchequer, and that court, after hearing the Attorney-General against him, finds itself unable

to give any relief; and, after all this, the unfortunate man is to be tantalized with hearing that the Attorney-General contrived to couple his case with the praise of the great charter of liberty—a most unlucky coincidence—almost enough to drive him, in whose person that charter is violated, into a state of insanity.

“Poor Watty Cox’ is a coarse fellow, and, I think, he would be apt to reply to that praise in the profane and contemptuous rhyme of Cromwell; most assuredly he has no reason to treat this useless law with great reverence. It would, indeed, appear as if the prosecutor eulogized Magna Charta only to give more brilliancy to his triumph, which he has obtained in the person of poor Cox over it.

“The next topic of the Attorney-General’s triumphant abuse was the book entitled, ‘The Statement of the Penal Laws.’ He called it a convicted book. He exulted that the publisher was in prison; he traduced the author, and he distorted and misrepresented the spirit and meaning of that book. As to the publisher, he is, I admit, in prison. The Attorney-General has had the pleasure of tearing a respectable citizen, of irreproachable character and conduct, from his wife and the little children who were rendered comfortable by his honest, persevering industry, and he has immured him in a dungeon. I only congratulate him on his victory.

“As to the author, he is just the reverse of what the Attorney-General would wish him to be; he is a man of fortune; he is an able lawyer—a professional scholar—an accomplished gentleman—a sincere friend to his country, which he has ornamented and served. As to the book, it is really ludicrous to an extreme degree of comicality to call it a convicted book. There are about 400 pages in the work: it contains an elaborate, unexaggerated, and, I think, softened detail of the laws which aggrieve the Catholics of Ireland, and of the practical results of those laws. Such a system, to which the Attorney-General is wedded, as much as to his own emolument, must have excited no small share of irritation in his mind. It produced a powerful sensation on the entire party to which he belongs. Abundant attempts were made to answer it: they were paid for out of the public money; they totally failed, and yet if the book had been erroneous, there could be nothing easier than its confutation.

“If that book had been mistaken in matter of law, or exaggerated in matter of fact, its refutation would have been found, where we have found and proved its perfect accuracy, in the statute book and in the daily experience of every individual in Ireland. Truth, you

are told by the prosecutor, is no defence in case of libel; but certainly this book was much the more provoking for being true; and yet, gentlemen, with the most powerful incentives to prosecute this book, the Attorney-General has been compelled, most reluctantly, to space every word of the 400 pages of text and margin, and has been unable to find any pretext for an indictment, save in a paltry note containing eight lines and a half, and three marks of admiration.

"My lord, I address your lordship particularly on the three notes of admiration, because they formed a prominent ground in your lordship's learned argument, when you decided that the passage was a libel *per se*. Yes, gentlemen, admire again, I pray you, the solidity and brilliancy of our law, in which three marks of admiration are of wonderful efficacy in sending a man to prison. But with the exception of the note of eight and a half lines, the book has borne the severest criticism of fact and of law. It has defied, and continues to defy, the present Attorney-General and his well-assorted juries; and, as to the note which he indicted, it contained only a remark on the execution of a man who, whether innocent or guilty, was tried in such a manner, that a gentleman of the Irish bar, his counsel, threw up his brief in disgust; and when the judge who presided at the trial ordered the counsel to remain and defend Barry, that counsel swore, in this court, that he rejected the judge's mandate with contempt.

"What a mighty triumph was the conviction proved against this note on Barry's case! And may one be permitted mournfully to ask, whether the indignation, which might have produced indiscretion in speaking of Barry's fate, was a very culpable quality in a feeling mind, prone to detest the horrors with which human blood is sometimes shed under the forms and mockery of trial? But that conviction, although it will erase the note, will not stay the demand which an intelligent public make for this valuable work. Already have two valuable editions of it been sold; and a third edition is loudly called for, and about to appear.

"What, in the meantime, has been the fate of the answers? I see two booksellers amongst you; they will tell you that the answers are recollected only by the loss they have produced to them, and by the cumbering of their shelves. Such is the result of the loyal triumph of his Grace the Duke of Richmond's administration. May such in every age be the fruits of every prosecutor of free discussion, and of the assertion of political truth!

"I have followed the Attorney-General through his discussion

upon Walter Cox and 'The Statement of the Penal Laws,' without being able exactly to conjecture his motives for introducing them. As to Cox, it appears to be the mere gratification of his delight at the misery to which that unfortunate man is reduced. As to 'the book,' I can only conjecture that his wish is to insinuate to you that the author of 'the book' and of this publication is the same. If that were his design, it may be enough to say, that he has not proved the fact, and, therefore, in fairness, it ought not at all to influence your decision. I go further and tell him, that the fact is not so; that the author is a different person; that the writer of this alleged libel is a Protestant—a man of fortune—a man of that rank and estimation that even the Attorney-General, were I to announce his name, which my client will never do, or suffer his advocate to do, that name would extort respect, even from the Attorney-General himself.

"He has, in his usual fashion, calumniated the spirit and object of 'the Statement of the Penal Laws.' He says it imputes murder and every other crime to persons in high stations, as resulting from their being Protestants. He says that it attributes to the Lord Lieutenant the committing murder on a Catholic, because he himself is a Protestant. Gentlemen, I wish you had read that book; if you did, it would be quite unnecessary for me to contradict those assertions of the Attorney-General. In fact, there never were assertions more unfounded: that book contains nothing that could warrant his description of it; on the contrary, the book seeks to establish this position, that the grievances which the Irish Catholics suffer, are not attributable to the Protestant religion—that they are repugnant to the spirit of that religion, and are attributable, simply and singly, to the spirit of monopoly, and tone of superiority, generated and fostered by the system of exclusion, upon which the Penal Code rests.

"The author of that book is confessedly a Catholic; yet the book states, and the Attorney-General heard the passage twice read in this court, that 'if Roman Catholics were placed, by unjust laws, in the situation in which the Irish Protestants now are placed, they would oppress and exclude precisely as the Protestants now do.' In short, his statement and reasonings are founded on this, that it is unjust to give any religion exclusive political advantages; because, whatever that religion may be, the result will necessarily prove oppressive and insulting towards the less favoured sect. He argues not exclusively against any particular religion, but from natural causes

operating on human beings. His book may be a libel on human nature, but it is no more a libel on the Protestant than on the Catholic religion. It draws no other inference than this, that Catholics and Protestants, under similar circumstances, would act precisely in the same way.

"Having followed the prosecutor through this weary digression, I return to the next sentence of this publication. Yet I cannot—I must detain you still a little longer from it, whilst I supplicate your honest indignation, if in your resentments there be ought of honesty, against the mode in which the Attorney-General has introduced the name of our aged and afflicted sovereign. He says, this is a libel on the king, because it imputes to him a selection of improper and criminal chief governors. Gentlemen, this is the very acme of servile doctrine. It is the most unconstitutional doctrine that could be uttered: it supposes that the sovereign is responsible for the acts of his servants, whilst the constitution declares that the king can do no wrong, and that even for his personal acts, his servants shall be personally responsible. Thus, the Attorney-General reverses for you the constitution in theory; and, in point of fact, where can be found, in this publication, any, even the slightest allusion, to his Majesty. The theory is against the Attorney-General, and yet, contrary to the fact, and against the theory, he seeks to enlist another prejudice of yours against Mr. Magee.

"Prejudice did I call it? oh, no! it is no prejudice; that sentiment which combines respect with affection for my aged sovereign, suffering under a calamity with which heaven has willed to visit him, but which is not due to any default of his. There never was a sentiment that I should wish to see more cherished—more honoured. To you the king may appear an object of respect; to his Catholic subjects he is one of veneration; to them he has been a bountiful benefactor. To the utter disregard of your aldermen of Skinner's-alley, and the more pompous magnets of William-street, his Majesty procured, at his earnest solicitation from parliament, the restoration of much of our liberties. He disregarded your anti-Popery petitions. He treated, with calm indifference, the ebullitions of your bigotry; and I owe to him that I have the honour of standing in the proud situation from which I am able, if not to protect my client, at least to pour the indignant torrent of my discourse against his enemies, and those of his country.

"The publication to which I now recall you, goes to describe the

effects of the facts which I have shown you to have been drawn from the undisputed and authentic history of former times. I have, I hope, convinced you, that neither Leland nor Hume could have been indicted for stating those facts, and it would be a very strange perversion of principle, which would allow you to convict Mr. Magee for that which has been stated by other writers, not only without punishment, but with applause.

“That part of the paragraph which relates to the present day is in these words :—

“ ‘ Since that period the complexion of the times has changed—the country has advanced—it has outgrown submission, *and some forms, at least, must now be observed towards the people.*

“ ‘ The system, however, is still the same ; it is the old play with new decorations, presented in an age somewhat more enlightened ; the principle of government remains unaltered—a principle of exclusion which debars the majority of the people from the enjoyment of those privileges that are possessed by the minority, and which must, therefore, maintain itself by all those measures necessary for a government founded on injustice.’

“The prosecutor insists that this is the most libellous part of the entire publication. I am glad he does so ; because if there be amongst you a single particle of discrimination, you cannot fail to perceive that this is not a libel—that this paragraph cannot constitute any crime. It states that the present is a system of exclusion. Surely, it is no crime to say so ; it is what you all say. It is what the Attorney-General himself gloried in. This is, said he, exclusively a Protestant government. Mr. Magee and he are agreed. Mr. Magee adds, that a principle of exclusion, on account of religion, is founded on injustice. Gentlemen, if a Protestant were to be excluded from any temporal advantages upon the score of his religion, would not you say that the principle upon which he was excluded was unjust ? That is precisely what Mr. Magee says ; for the principle which excludes the Catholic in Ireland, would exclude the Protestant in Spain and in Portugal, and then you clearly admit its justice. So that, really, you would condemn yourselves, and your own opinions, and the right to be a Protestant in Spain and Portugal, if you condemn this sentiment.

“But I would have you further observe that this is no more than the discussion of an abstract principle of government ; it arraigns not the conduct of any individual, or of any administration ; it only

discusses and decides upon the moral fitness of a certain theory, on which the management of the affairs of Ireland has been conducted. If this be a crime, we are all criminals; for this question, whether it be just or not to exclude from power and office a class of the people for religion, is the subject of daily—of hourly discussion. The Attorney-General says it is quite just; I proclaim it to be unjust—obviously unjust. At all public meetings, in all private companies, this point is decided different ways, according to the temper and the interest of individuals. Indeed, it is but too much the topic of every man's discourse; and the gaols and the barracks of the country would not contain the hundredth part of those whom the Attorney-General would have to crowd them, if it be penal to call the principle of exclusion unjust. In this court, without the least danger of interruption or reproof, I proclaim the injustice of that principle.

"I will then ask whether it be lawful to print that which it is not unlawful to proclaim in the face of a court of justice? And, above all, I will ask whether it can be criminal to discuss the abstract principles of government? Is the theory of the law a prohibited subject? I had understood that there was no right so clear and undoubted as that of discussing abstract and theoretic principles, and their applicability to practical purposes. For the first time do I hear this disputed; and now see what it is the Attorney-General prohibits. He insists upon punishing Mr. Magee; first, because he accuses his administration of 'errors'; secondly, because he charges them with not being distinguished for 'talents'; thirdly, because he cannot discover their 'striking features'; and, fourthly, because he discusses an 'abstract principle'!"

"This is quite intelligible—this is quite tangible. I begin to understand what the Attorney-General means by the liberty of the Press; it means a prohibition of printing anything except praise, respecting '*the errors, the talents, or the striking features*' of any administration, and of discussing any *abstract principles of government*. Thus the forbidden subjects are errors, talents, striking features, and principles. Neither the theory of the government nor its practices are to be discussed; you may, indeed, praise them; you may call the Attorney-General 'the best and wisest of men;' you may call his lordship the most learned and impartial of all possible chief justices; you may, if you have powers of visage sufficient, call the Lord Lieutenant the best of all imaginable governors. That,

gentlemen, is the boasted liberty of the Press—the liberty that exists in Constantinople—the liberty of applying the most fulsome and unfounded flattery, but not one word of censure or reproof.

“Here is an idol worthy of the veneration of the Attorney-General. Yes; he talked of his veneration for the liberty of the Press; he also talked of its being a protection to the people against the government. Protection! not against errors—not against the want of talents or striking features—nor against the effort of any unjust principle—protection! against what is it to protect? Did he not mock you? Did he not plainly and palpably delude you, when he talked of the protection of the Press? Yes. To his inconsistencies and contradictions he calls on you to sacrifice your consciences; and because you are no-Popery men, and distributors of Bibles, and aldermen of Skinner’s-alley, and Protestant petitioners, he requires of you to brand your souls with perjury. You cannot escape it; it is, it must be perjury to find a verdict for a man who gravely admits that the liberty of the Press is recognised by the law, and that it is a venerable object, and yet calls for your verdict upon the ground that there is no such thing in existence as that which he has admitted, that the law recognises, and that he himself venerates.

“Clinging to the fond but faint hope that you are not capable of sanctioning, by your oaths, so monstrous an inconsistency,

“I lead you to the next sentence upon this record.

“Although his grace does not appear to know what are the qualities necessary for a judge in Canada, or for an aid-de-camp in waiting at a court, he surely cannot be ignorant what are requisites for a lord lieutenant.’

“This appears to be a very innocent sentence; yet the Attorney-General, the venerator of that protection of the people against a bad government—the liberty of the Press—tells you that it is a gross libel to impute so much ignorance to his grace. As to the aid-de-camp, gentlemen, whether he be selected for the brilliancy of his spurs, the polish of his boots, or the precise angle of his cocked hat, are grave considerations which I refer to you. Decide upon these atrocities I pray you. But as to the judge in Canada, it cannot be any reproach to his grace to be ignorant of his qualifications. The old French law prevails in Canada, and there is not a lawyer at the Irish bar, except, perhaps, the Attorney-General, who is sufficiently acquainted with that law to know how far any man may be fit for the station of judge in Canada.

"If this be an ignorance without reproach in Irish lawyers, and if there be any reproach in it, I feel it not, whilst I avow that ignorance—yet, surely it is absurd to torture it into a calumny against the Lord Lieutenant—a military man, and no lawyer. I doubt whether it would be a libel if my client had said, *that his grace was ignorant of the qualities necessary for a judge* in Ireland—for a *chief judge*, my lord. He has not said so, however, gentlemen, and true or false, that is not now the question under consideration. We are in Canada at present, gentlemen, in a ludicrous search for a libel in a sentence of no great point or meaning. If you are sapient enough to suspect that it contains a libel, your doubt can only arise from not comprehending it; and that, I own, is a doubt difficult to remove. But I mock you when I talk of this insignificant sentence.

"I shall read the next paragraph at full length. It is connected with the Canadian sentence:—

"Therefore, were an appeal to be made to him in a dispassionate and sober moment, we might candidly confess that the Irish would not be disappointed in their hopes of a successor, though they would behold the same smiles, experience the same sincerity, and witness the same disposition towards conciliation.

"What, though they were deceived in 1795, and found the mildness of a Fitzwilliam a false omen of concord; though they were duped in 1800, and found that the privileges of the Catholics did not follow the extinction of the parliament, yet, at his departure, he will, no doubt, state good grounds for future expectation; that his administration was not the time for Emancipation, but that the season is fast approaching; that there were 'existing circumstances, but that now the people may rely upon the virtues even of an hereditary Prince; that they should continue to worship the false idol; that their cries, must, at least, be heard; and that, if he has not complied, it is only because he has not spoken. In short, his grace will in no way vary from the uniform conduct observed by most of his predecessors, first preaching, to the confidence of the people, then playing upon their credulity.

"He came over ignorant—he soon became prejudiced, and then he became intemperate. He takes from the people their money; he eats of their bread, and drinks of their wine; in return, he gives them a bad government, and, at his departure, leaves them more distracted than ever. His grace commenced his reign by flattery, he con-

tinued it in folly, he accompanied it with violence, and he will conclude it with falsehood.'

"There is one part of this sentence, for which I most respectfully solicit your indulgence and pardon. Be not exasperated with us for talking of the mildness of Lord Fitzwilliam, or of his administration. But, notwithstanding the violence any praise of him has excited amongst you, come dispassionately, I pray you, to the consideration of the paragraph. Let us abstract the meaning of it from the superfluous words. It certainly does tell you, that his grace came over ignorant of Irish affairs, and he acquired prejudices upon those subjects, and he has become intemperate. Let us discuss this part separately from the other matter suggested by the paragraph in question. That the Duke of Richmond came over to Ireland ignorant of the details of our domestic policy cannot be matter either of surprise or of any reproach. A military man engaged in these pursuits, which otherwise occupy persons of his rank altogether unconnected with Ireland, he could not have had any inducement to make himself acquainted with the details of our barbarous wrongs, of our senseless party quarrels, and criminal feuds; he was not stimulated to examine them by any interest, nor could any man be attracted to study them by taste. It is, therefore, no censure to talk of his ignorance—of that with which it would be absurd to expect that he should be acquainted; and the knowledge of which would neither have served, nor exalted, nor amused him.

"Then, gentlemen, it is said he became 'prejudiced.' Prejudiced may sound harsh in your ears; but you are not, at least you ought not, to decide upon *the sound*—it is *the sense* of the word that should determine you. Now what is the sense of the word 'prejudice' here? It means the having adopted precisely the opinions which every one of you entertain. By 'prejudice' the writer means, and can mean, nothing but such sentiments as *you cherish*. When he talks of prejudice, he intends to convey the idea that the Duke took up the opinion, that the few ought to govern the many in Ireland; that there ought to be a favoured, and an excluded class in Ireland; that the burdens of the state ought to be shared equally, but its benefits conferred on a few. Such are the ideas conveyed by the word prejudice; and I fearlessly ask you, is it a crime to impute to his grace these notions which *you yourselves* entertain? Is he calumniated—is he libelled, when he is charged with concurring with you,

gentlemen of the jury? Will you, by a verdict of conviction, stamp your own political sentiments with the seal of reprobation? If you convict my client, you do this; you decide that it is a libel to charge any man with those doctrines which are so useful to you individually, and of which you boast; or, you think the opinions just, and yet that it is criminal to charge a man with those just opinions. For the sake, therefore, of consistency, and as an approval of your own opinions, I call on you for a verdict of acquittal.

"I need not detain you long on the expression 'intemperate;' it does not mean any charge of excess of indulgence in any enjoyment; it is not, as the Attorney-General suggested, an accusation of indulging beyond due bounds in the pleasures of the table, or of the bottle; it does not allude, as the Attorney-General says, to midnight orgies, or to morning revels. I admit—I freely admit—that an allusion of that kind would savour of libel, as it would certainly be unnecessary for any purpose of political discussion. But the intemperance here spoken of is mere political intemperance; it is that violence which every man of a fervid disposition feels in support of his political opinions. Nay, the more pure and honest any man may be in the adoption of his opinions, the more likely and the more justifiable will he be in that ardent support of them, which goes by the name of intemperance. In short, although political intemperance cannot be deemed by cold calculators as a virtue, yet it has its source in the purest virtues of the human heart, and it frequently produces the greatest advantages to the public. How would it be possible to overcome the many obstacles which self-interest, and ignorance, and passion throw in the way of improvement, without some of that ardour of temper and disposition which grave men call intemperance? And, gentlemen, are not your opinions as deserving of warm support as the opinion of other men; or do you feel any inherent depravity in the political sentiments which the Duke of Richmond has adopted from you that would render him depraved or degraded by any violence in their support? You have no alternative. If you convict my client, you condemn, upon your oaths, your own political creed; and declare it to be a libel to charge any man with energy in your cause.

"If you are not disposed to go this length of political inconsistency, and if you have determined to avoid the religious inconsistency of perjuring yourselves for the good and glory of the Protestant religion, do, I pray you, examine the rest of this paragraph, and see

whether you can, by any ingenuity, detect that nondescript a libel in it. It states in substance this : that this administration, treading in the steps of former administrations, preached to the confidence of the people, and played on their credulity ; and that it will end, as those administrations have done, in some flattering prophecy, paying present disappointment with the coinage of delusive hope. That this administration commenced, as usual, with preaching to the confidence of the people, was neither criminal in the fact, nor can it be unpleasant in the recital.

“It is the immemorial usage of all administrations and of all stations, to commence with those civil professions of future excellence of conduct which are called, and not unaptly, ‘*preaching to the confidence of the people.*’ The very actors are generally sincere at this stage of the political farce ; and it is not insinuated that this administration was not as candid on this subject as the best of its predecessors. The *playing on the credulity of the people* is the ordinary state trick. You recollect how angry many of you were with his Grace for his Munster tour, shortly after his arrival here. You recollect how he checked the Mayor of Cork for proposing the new favourite Orange toast ; what liberality he displayed to popish traders and bankers in Limerick ; and how he returned to the capital, leaving behind him the impression that the no-Popery men had been mistaken in their choice, and that the Duke of Richmond was the enemy of every bigotry—the friend to every liberality ! Was he sincere, gentlemen of the jury, or was this one of those innocent devices which are called—playing on the people’s credulity ? Was he sincere ? Ask his subsequent conduct. Have there been since that time any other or different toasts cheered in his presence ? Has the name of Ireland and of Irishmen been profaned by becoming the sport of the warmth excited by the accompaniment to these toasts ? Some individuals of you could inform me. I see another dignitary of your corporation here (said Mr. O’Connell, turning round pointedly to the lord mayor)—I see a civic dignitary here, who could tell of the toasts of these days or nights, and would not be at a loss to apply the right name—if he were not too prudent as well as too polite to do so—to that innocent affectation of liberality which distinguished his grace’s visit to the south of Ireland. It was, indeed, a play upon our credulity, but it can be no libel to speak of it as such ; for see the situation in which you would place his grace ;

you know he affected conciliation and perfect neutrality between our parties at first; you know he has since taken a marked and decided part with you.

"Surely you are not disposed to call this a crime, as it were, to convict his grace of duplicity, and of a vile hypocrisy. No, gentlemen, I entreat of you not to calumniate the Duke; call this conduct a mere play on the credulity of a people easily deceived—innocent in its intention, and equally void of guilt in its description. Do not attach to those words a meaning which would prove that you yourselves condemned, not so much the writer of them, as the man who gave colour and countenance to this assertion. Besides, gentlemen, what is your liberty of the Press worth, if it be worthy of a dungeon to assert that the public credulity has been played upon? The liberty of the Press would be less than a dream, a shadow, if every such phrase be a libel.

"But the Attorney-General triumphantly tells you that there must be a libel in this paragraph, because it ends with a charge of falsehood. May I ask you to take the entire paragraph together? Common sense and your duty require you to do so. You will then perceive that this charge of falsehood is no more than an opinion, that the administration of the Duke of Richmond will terminate precisely as that of many of his predecessors has done, by an excuse for the past—a flattering and fallacious promise for the future. Why, you must all of you have seen, a short time since, an account of a public dinner in London, given by persons styling themselves 'Friends to Religious Liberty.' At that dinner, at which two of the Royal Dukes attended, there were, I think, no less than four or five noblemen who had filled the office of lord lieutenant of Ireland. Gentlemen, at this dinner, they were ardent in their professions of kindness towards the Catholics of Ireland, in their declarations of the obvious policy and justice of conciliation and concession, and they bore ample testimony to our sufferings and our merits. But I appeal from their present declarations to their past conduct; they are now full of liberality and justice to us; yet, I speak only the truth of history, when I say that, during their government of this country, no practical benefits resulted from all this wisdom and kindness of sentiment; with the single exception of Lord Fitzwilliam, not one of them even attempted to do any good to the Catholics, or to Ireland.

"What did the Duke of Bedford do for us? *Just nothing.*

Some civility, indeed, in words—some playing on public credulity—but in act and deed, nothing at all. What did Lord Hardwicke do for us? Oh, nothing, or rather less than nothing; his administration here was, in that respect, a kind of negative quality; it was cold, harsh, and forbidding to the Catholics—lenient, mild, and encouraging to the Orange faction; the public mind lay in the first torpor caused by the mighty fall of the union, and whilst we lay entranced in the oblivious pool, Lord Hardwicke's administration proceeded without a trace of that justice and liberality which it appears he must have thought unbefitting the season of his government, and which if he then entertained, he certainly concealed; he ended, however, with, giving us flattering hopes for the future. The Duke of Bedford was more explicit; he promised in direct terms, and drew upon the future exertions of an *hereditary Prince*, to compensate us for present disappointment. And will any man assert that the Duke of Richmond is libelled by a comparison with Lord Hardwicke, that he is traduced when he is compared with the Duke of Bedford? If the words actually were these, 'the Duke of Richmond will terminate his administration exactly as Lord Hardwicke and the Duke of Bedford terminated their administrations;' if those were the words, none of you could possibly vote for a conviction, and yet the meaning is precisely the same. No more is expressed by the language of my client; and, if the meaning be thus clearly innocent, it would be strange, indeed, to call on you for a verdict of conviction upon no more solid ground than this, that whilst the signification was the same, the words were different. And thus, again, does the prosecutor require of you to separate the sense from the sound, and to convict for the sound, against the sense of the passage.

"In plain truth, gentlemen, if there be a harshness in the sound, there is none in the words. The writer describes, and means to describe, the ordinary termination of every administration repaying in promises the defaults of performance. And, when he speaks of falsehood, he prophesies merely as to the probable or at least possible conclusion of the present government. He does not impute to any precedent, assertion, falsehood; but he does predict, that the concluding promise of this, as of other administrations, depending as those promises always do upon other persons for performance, will remain as former promises have remained—unfulfilled and unperformed. And is this prophecy—this prediction a crime? Is it a libel to prophecy? See what topics this sage venerator of the liberty of

the Press, the Attorney-General, would fain prohibit. First, he tells you, that the crimes of the predecessors of the Duke must not be mentioned—and thus he forbids the history of past events. Secondly, he informs you, that no allusion is to be made to the errors, follies, or even to the striking features of the present governors; and thus he forbids the detail of the occurrences of the present day. And, thirdly, he declares that no conjecture shall be made upon what is likely to occur hereafter; and thus he forbids all attempts to anticipate future facts.

“It comes simply to this; he talks of venerating the liberties of the Press, and yet he restrains that Press from discussing past history, present story, and future probabilities; he prohibits the past, the present, and the future; ancient records, modern truth, and prophecy, are all within the capacious range of his punishments. Is there anything else? Would this venerator of the liberty of the Press go further? Yes, gentlemen, having forbidden all matter of history past and present, and all prediction of the future, he generously throws in *abstract principles*, and, as he has told you, that his prisons shall contain every person who speaks of what was, or what is, or what will be, he likewise consigned to the same fate every person who treats of the theory or principles of government; and yet he dares to talk of the liberty of the Press? Can you be his dupes? Will you be his victims? Where is the conscience—where is the indignant spirit of insulted reason amongst you? Has party feeling extinguished in your breasts every glow of virtue—every spark of manhood?

“If there be any warmth about you—if you are not clay-cold to all but party feeling, I would, with the air and in the tone of triumph, call you to the consideration of the remaining paragraph which has been spread on the lengthened indictment before you. I divide it into two branches, and shall do no more with the one than to repeat it. I read it for you already; I must read it again:—

“‘Had he remained what he first came over, or what he afterwards professed to be, he would have retained his reputation for *honest, open hostility*, defending his political principles with firmness, perhaps, with warmth, but without rancour; the supporter, and not the tool of an administration; a mistaken politician, perhaps, but an honourable man, and a respectable soldier.’

“Would to God I had to address another jury! Would to God I had judgment and reason to address, and I could entertain no ap-

prehension from passion or prejudice! Here should I then take my stand, and require of that unprejudiced jury whether this sentence does not demonstrate the complete absence of private malice or personal hostility. Does not this sentence prove, a kindly disposition toward the individual, mixing and mingling with that discussion which freedom sanctions and requires, respecting his political conduct? Contrast this sentence with the prosecutor's accusation of private malignity, and decide between Mr. Magee and his calumniators. He, at least, has this advantage, that your verdict cannot alter the nature of things; and that the public must see and feel this truth, that the present prosecution is directed against the discussion of the conduct towards the public, of men confided with public authority, that this is a direct attack upon the right to call the attention of the people to the management of the people's affairs, and that, by your verdict of conviction, it is intended to leave no peaceful or unawed mode of redress for the wrongs and sufferings of the people.

"But I will not detain you on these obvious topics. We draw to a close, and I hurry to it. This sentence is said to be particularly libellous:—

"His party would have been proud of him; his friends would have praised (they need not have flattered him), and his enemies, though they might have regretted, must have respected his conduct; from the worst quarter there would have been some small tribute of praise; from none any great portion, of censure; and his administration, though not popular, would have been conducted with dignity, and without offence. This line of conduct he has taken care to avoid: his original character for moderation he has forfeited; he can lay no claim to any merits for neutrality, nor does he even deserve the cheerless credit of defensive operations. He has begun to act; he has ceased to be a dispassionate chief governor, who views the wickedness and the folly of faction with composure and forbearance, and stands the representative of majesty aloof from the contest. He descends; he mixes with the throng; he becomes personally engaged, and having lost his temper, calls forth his private passions to support his public principles; he is no longer an indifferent viceroy, but a frightful partisan of an English ministry, whose base passions he indulges—whose unworthy resentments he gratifies, and on whose behalf he at present canvasses."

"Well, gentlemen, and did he not canvass on behalf of the minis-

try? Was there a titled or untitled servant of the Castle who was not despatched to the south to vote against the popular, and for the ministerial candidates? Was there a single individual within the reach of his grace that did not vote against Prittie and Mathew, in Tipperary, and against Hutchinson, in Cork. I have brought with me some of the newspapers of the day, in which this partisanship in the Lord Lieutenant is treated by Mr. Hutchinson in language so strong and so pointed, that the words of this publication are mildness and softness itself, when compared with that language. I shall not read them for you, because I should fear that you may imagine I unnecessarily identified my client with the violent but merited reprobation poured upon the scandalous interference of our government with those elections. I need not, I am sure, tell you that any interference by the Lord Lieutenant with the purity of the election of members to serve in Parliament, is highly unconstitutional and highly criminal; he is doubly bound to the most strict neutrality; first, as a peer, the law prohibits his interference; secondly, as representative of the crown, his interference in elections is an usurpation of the people's rights; it is, in substance and effect, high treason against the people, and its mischiefs are not the less by reason of there being no punishment affixed by the law to this treason.

"If this offence, gentlemen, be of daily recurrence—if it be frequently committed, it is upon that account only the more destructive to our liberties, and, therefore, requires the more loud, direct, and frequent condemnation: indeed, if such practices be permitted to prevail, there is an end of every remnant of freedom; our boasted constitution becomes a mockery and an object of ridicule, and we ought to desire the manly simplicity of unmixed despotism. Will the Attorney-General—will his colleague, the Solicitor-General, deny that I have described this offence in its true colours? Will they attempt to deny the interference of the Duke of Richmond in the late elections? I would almost venture to put your verdict upon this, and to consent to a conviction, if any person shall be found so stocked with audacity, as to presume publicly to deny the interference of his grace in the late elections, and his partisanship in favour of the ministerial candidates. Gentlemen, if that be denied, what will you, what can you think of the veracity of the man who denies it? I fearlessly refer the fact to you; on that fact I build. This interference is as notorious as the sun at noon day; and who shall venture to deny that such interference is described by a soft term

when it is called partisanship? He who uses the influence of the executive to control the choice of the representatives of the people, violates the first principles of the constitution, is guilty of political sacrilege, and profanes the very sanctuary of the people's rights and liberties; and if he should not be called a partisan, it is only because some harsher, and more appropriate term ought to be applied to his delinquency.

"I will recall to your minds an instance of violation of the constitution, which will illustrate the situation of my client, and the protection, which for your own sakes, you owe him. When, in 1687, King James removed several Protestant rectors in Ireland from their churches, against law and justice, and illegally and unconstitutionally placed Roman Catholic clergymen in their stead, would any of you be content that he should be simply called a partisan! No, gentlemen, my client and I—Catholic and Protestant though we be—agree perfectly in this, that partisan would have been too mild a name for him, and that he should have been branded as a violator of law, as an enemy to the constitution, and as a crafty tyrant who sought to gratify the prejudices of one part of his subjects that he might trample upon the liberties of all. And what, I would fain learn, could you think of the Attorney-General who prosecuted, or of the judge who condemned, or of the jury who convicted a printer for publishing to the world this tyranny—this gross violation of law and justice? But how would your indignation be roused, if James had been only called a partisan, and for calling him a partisan a popish jury had been packed, a popish judge had been selected, and that the printer, who, you will admit, deserved applause and reward, met condemnation and punishment.

"Of *you—of you*, shall *this story be told*, if you convict Mr. Magee. The Duke has interfered in elections; he has violated the liberties of the subject; he has profaned the very temple of the constitution; and he, who has said that in so doing, he was a partisan, from your hands expects punishment.

"Compare the kindred offences: James deprived the Protestant rectors of their livings; he did not persecute, nor did he interfere with their religion; for tithes, and oblations, and glebes, and church lands, though solid appendages to any church, are no part of the Protestant religion. The Protestant religion would, I presume—and for the honour of human nature I sincerely hope—continue its influence over the human mind without the aid of those extrinsic

advantages. Its pastors would, I trust and believe, have remained true to their charge, without the adventitious benefits of temporal rewards; and, like the Roman Catholic church, it might have shone forth a glorious example of firmness in religion, setting persecution at defiance. James did not attack the Protestant religion; I repeat it; he only attacked the revenues of the Protestant church; he violated the law and the constitution, in depriving men of that property, by his individual authority, to which they had precisely the same right with that by which he wore his crown. But is not the controlling the election of members of parliament a more dangerous violation of the constitution? Does it not corrupt the very sources of legislation, and convert the guardians of the state into its plunderers? The one was a direct and undisguised crime, capable of being redressed in the ordinary course of the law, and producing resistance by its open and plain violation of right and of law; the other disguises itself in so many shapes, is patronised by so many high examples, and is followed by such perfect security, that it becomes the first duty of every man, who possesses any reverence for the constitution, or any attachment to liberty, to lend all his efforts to detect, and, if possible, to punish it.

"To any man who loved the constitution or freedom, I could safely appeal for my client's vindication; or if any displeasure could be excited in the mind of such a man, it would arise because of the forbearance and lenity of this publication. But the Duke is called a frightful partisan. Granted, gentlemen, granted. And is not the interference I have mentioned frightful? Is it not terrific? Who can contemplate it without shuddering at the consequences which it is likely to produce? What gentler phrase—what lady-like expression should my client use? The constitution is sought to be violated, and he calls the author of that violation a frightful partisan. Really, gentlemen, the fastidiousness which would reject this expression would be better employed in preventing or punishing crime, than in dragging to a dungeon the man who has the manliness to adhere to truth, and to use it. Recollect also—I cannot repeat it too often—that the Attorney-General told you, that 'the liberty of the Press was the best protection of the people against the government.' Now, if the constitution be violated—if the purity of election be disturbed by the executive, is not this precisely the case when this protection becomes necessary? It is not wanted, nor can the Press be called a protector, so long as the government is administered with

fidelity, care, and skill. The protection of the Press is requisite only when integrity, diligence, or judgment do not belong to the administration; and that protection becomes the more necessary in the exact proportion in which these qualities are deficient. But, what protection can it afford if you convict in this instance? For, by doing so, you will decide that nothing ought to be said against that want of honesty, or of attention, or of understanding; the more necessary will the protection of the Press become, the more unsafe will it be to publish the truth; and in the exact proportion in which the Press might be useful, will it become liable to punishment. In short, according to the Attorney-General's doctrine, when the Press is 'best employed and wanted most,' it will be most dangerous to use it. And thus, the more corrupt and profligate any administration may be, the more clearly can the public prosecutor ascertain the sacrifice of his selected victim. And call you this protection? Is this a protector who must be disarmed the moment danger threatens, and is bound a prisoner the instant the fight has commenced?

"Here I should close the case—here I should shortly recapitulate my client's defence, and leave him to your consideration; but I have been already too tedious, and shall do no more than recall to your recollection the purity, the integrity, the entire disinterestedness of Mr. Magee's motives. If money were his object, he could easily procure himself to be patronised and salaried; but he prefers to be persecuted and discountenanced by the great and powerful, because they cannot deprive him of the certain expectation, that his exertions are useful to his long-suffering ill-requited country.

"He is disinterested, gentlemen; he is honest; the Attorney-General admitted it, and actually took the trouble of administering to him advice how to amend his fortune and save his person. But the advice only made his youthful blood mantle in that ingenious countenance, and his reply was painted in the indignant look, that told the Attorney-General he might offer wealth, but he could not bribe—that he might torture, but he could not terrify! Yes, gentlemen, firm in his honesty, and strong in the fervour of his love of Ireland, he fearlessly awaits your verdict, convinced that even you must respect the man whom you are called upon to condemn. Look to it, gentlemen; consider whether an honest, disinterested man shall be prohibited from discussing public affairs; consider whether all but flattery is to be silent—whether the discussion of the errors and

the capacities of the ministers is to be "closed for ever. Whether we are to be silent as to the crimes of former periods—the follies of the present, and the credulity of the future; and, above all, reflect upon the demand that is made on you to punish the canvassing of abstract principles.

"Has the Attorney-General succeeded? Has he procured a jury so fitted to his object, as to be ready to bury in oblivion every fault and every crime, every error and every imperfection of public men, past, present, and future—and who shall, in addition, silence any dissertation on the theory or principal of legislation. Do, gentlemen, go this length with the prosecutor, and then venture on your oaths. I charge you to venture to talk your families of the venerable liberty of the Press—the protection of the people against the vices of the government. I should conclude, but the Attorney-General compels me to follow him through another subject; he has told you, and told you truly, that besides the matter set out in the indictment—the entire of which, gentlemen, we have already gone through—this publication contains severe strictures upon the alleged indelicacy in the Chief Justice issuing a ministerial warrant, in a case which was afterwards to come before him judicially, and upon the manner in which the jury was attempted to be put together in Doctor Sheridan's case, and in which a jury was better arranged in the case of Mr. Kirwan. Indeed, the Attorney-General seemed much delighted with these topics; he again burst out into an enraptured encomium upon himself; and, as it were inspired by his subject, he rose to the dignity of a classical quotation, when he exclaimed, '*me me, adsum, qui feci.*' HE forgot to add the still more appropriate remainder of the sentence, '*mea fraus omnis!*'

"YES, gentlemen, he has avowed with more manliness than discretion, that he was the contrivér of all those measures. With respect to the warrant which his lordship issued in the stead of the ordinary justices of the peace, and upon a charge not amounting to any breach of the peace, I shall say nothing at present. An obvious delicacy restrains me from entering upon that subject; and as the interest of my client does not counteract that delicacy, I shall refrain. But I would not have it understood that I have formed no opinion on the subject. Yes, I have formed an opinion, and a strong and decided opinion, which I am ready to support as a lawyer, and a man, but the expression of which I now sacrifice to a plain delicacy. But I must say, that the Attorney-General has thrown new light on

this business ; he has given us information we did not possess before. I did not before know that the warrant was sought for and procured by the Attorney-General ; I thought it was the spontaneous act of his lordship, and not in consequence of any private solicitation from the Attorney-General. In this respect, he has set me right—it is a fact of considerable value, and although the consequences to be deduced from it are not pleasing to any man, loving, as I do, the purity of justice, yet, I most heartily thank the Attorney-General for *the fact—the important fact.*

“His second avowal relates to Doctor Sheridan. It really is comfortable to know how much of the indecent scene exhibited upon his trial belonged to the Attorney-General. He candidly tells us, that the obtrusion of the police magistrate, Sirr, as an assistant to the Crown Solicitor, was the act of the King's Attorney-General. ‘*Adsum qui feci,*’ said he. Thus he avows that he procured an Orangeman—I do not exactly understand what is meant by an Orangeman—some of you could easily tell me—that he caused this Orangeman to stand in open court, next to the Solicitor for the Crown, with his written paper, suggesting who were fit jurors for his purpose, and who should be put by. Gentlemen, he avows that this profligate scene was acted in the open court, by his directions. It was by the Attorney-General's special directions, then, that such men as John Lindsay, of Sackville-street, and John Roche, of Strand-street, were set aside ; the latter, because, though amongst the most wealthy and respectable merchants in your city, he is a Papist ; and the other, because, although a Protestant, he is tainted with liberality—the only offence, public or private, that could be attributed to him. Yes, such men as these were set aside by the Attorney-General's aid-de-camp, the salaried justice of the police office.

“The next avowal is also precious. This publication contains also a commentary on the Castle-list jury that convicted Mr. Kirwan, and the Attorney-General has also avowed his share in that transaction ; he thus supplies the only link we wanted in our chain of evidence, when we challenged the array upon that trial. If we could have proved that which the Attorney-General, with his ‘*adsum qui feci,*’ yesterday admitted, we should have succeeded and got rid of that panel. Even now, it is delightful to understand the entire machinery, and one now sees at once the reason why Sir Charles Saxton was not examined on the part of the crown, in reply to the case we

made. He would, you now plainly see, have traced the arrangement to the Attorney-General, and the array must have been quashed. Thus in the boasting humour of this Attorney-General, he has brought home to himself personally, that which we attributed to him only in his official capacity, and he has convicted the man of that which we charged only upon the office.

“He has, he must have a motive for this avowal; if he had not an adequate object in view, he would not have thus unnecessarily and wantonly taken upon himself all the reproach of those transactions. He would not have boasted of having, out of court, solicited an extra judicial opinion, in the form of a warrant from his lordship; he would not have gloried in employing an Orangeman from the police office to assist him in open court, with instructions in writing how to pack his jury; still less would he have suffered it to be believed that he was a party at the Castle, with the acting Secretary of State, to the arrangement of the jury that was afterwards to try a person prosecuted by the state. He would not have made this, I must say, disgraceful avowal, unless he were influenced by an adequate motive. I can easily tell you what that motive was. He knew your prejudices—he knew your antipathy—alas! your interested antipathy—to the Catholics, and, therefore, in order to induce you to convict a Protestant of a libel for a publication, innocent, if not useful in itself, in order to procure that conviction from your party feelings and your prejudices, which he despaired of obtaining from your judgments, he vaunts himself to you as the mighty destroyer of the hopes of popish petitioners—as a man capable of every act within, as out of the profession, to prevent or impede any relief to the papists. In short, he wishes to show himself to you as an active partisan at your side; and upon those merits he who knows you best, claims your verdict—a verdict which must be given in on your oaths, and attested by and in the name of the God of the Christians.

“For my part I frankly avow that I shudder at these scenes; I cannot, without horror, view this interfering and intermeddling with judges and juries, and my abhorrence must be augmented, when I find it avowed, that the actors in all these sad exhibitions were the mere puppets of the Attorney-General, moved by his wires, and performing under his control. It is in vain to look for safety to person or property, whilst this system is allowed to pervade our courts; the very fountain of justice may be corrupted at its source, and those waters which should confer health and vigour throughout

the land, can then diffuse nought but mephitic and pestilential vapours to disgust and to destroy. If honesty, if justice be silent, yet prudence ought to check these practices. We live in a new era—a melancholy era, in which perfidy and profligacy are sanctioned by high authority; the base violation of plighted faith, the deep stain of dishonour, infidelity in love, treachery in friendship, the abandonment of every principle, and the adoption of every frivolity and of every vice that can excite hatred combined with ridicule—all—all this, and more, may be seen around us; and yet it is believed, it is expected; that this system is fated to be eternal. Gentlemen, we shall all weep the insane delusion, and in the terrific moments of altercation you know not, you cannot know, how soon or how bitterly the ingredients of your own poisoned chalice may be commended to your own lips.

* With these views around us—with these horrible prospects lying obscurely before us—in sadness and in sorrow party feelings may find a solitary consolation. My heart feels a species of relief when I recollect that not one single Roman Catholic has been found suited to the Attorney-General's purpose. With what an affectation of liberality would he have placed, at least, one Roman Catholic on his juries, if he could have found one Roman Catholic gentleman in this city capable of being managed into fitness for those juries. You well know that the very first merchants of this city, in wealth as well as in character, are Catholics. Some of you serve occasionally on special juries in important cases of private property. Have you ever seen one of those special juries without many Catholics?—frequently a majority—seldom less than one-half of Catholics. Why are Catholics excluded from these state juries? Who shall venture to avow the reason? Oh, for the partisan indiscretion that would blindly avow the reason! It is, in truth, a high compliment, which persecution, in spite of itself, pays to independent integrity.

“It is, in fact, a compliment. It is intended for a reproach, for a libel. It is meant to insinuate that such a man, for example, as Randal McDonnell—the pride and boast of commerce—one of the first contributors to the revenues of the state, and the first in all the sweet charities of social life—would refuse to do justice, upon his oath, to the Crown, and perjure himself in a state trial, because he is a Roman Catholic. You, even you, would be shocked, if any man were so audacious as to assert, in words, so foul a libel, so false a calumny; and yet what does the conduct of the Attor-

ney-General amount to? Why, practically, to just such a libel, to precisely such a calumny. He acts a part which he would not venture to speak, and endeavours silently to inflict a censure, which no man could be, found so devoid of shame as to assert in words. And here, gentlemen, is a libel for which there is no punishment; here is a profligate calumny for which the law furnishes no redress; he can continue to calumniate us by his rejection. See whether he does not offer you a greater insult by his selection; lay your hands to your hearts, and in private communion with yourselves, ask the reason why you have been sought for and selected for this jury—will you discover that you have been selected because of admitted impartiality?

“Would to God you could make that discovery! It would be one on which my client might build the certain expectation of a triumphant acquittal.

“Let me transport you from the heat and fury of domestic politics; let me place you in a foreign land; you are Protestants, with your good leave, you shall, for a moment, be Portuguese, and Portuguese is now an honourable name, for right well have the people of Portugal fought for their country, against the foreign invader. Oh! how easy to procure a similar spirit, and more of bravery, amongst the people of Ireland! The slight purchase of good words, and a kindly disposition, would convert them into an impenetrable guard for the safety of the Throne and the State. But advice and regret are equally unavailing, and they are doomed to calumny and oppression, the reality of persecution, and the mockery of justice, until some fatal hour shall arrive, which may preach wisdom to the dupes, and menace with punishment the oppressor.

“In the meantime I must place you in Portugal. Let us suppose, for an instant, that the Protestant religion is that of the people of Portugal—the Catholic, that of the government—that the House of Braganza has not reigned, but that Portugal is still governed by the viceroy of a foreign nation, from whom no kindness, no favour has ever flowed, and from whom justice has rarely been obtained, and upon those unfrequent occasions, not conceded generously, but extorted by force, or wrung from distress by terror and apprehension, in a stinted measure and ungracious manner; you, Protestants, shall form, not as with us in Ireland, nine-tenths, but some lesser number, you shall be only four-fifths of the population; and all the persecution which you have yourselves practised here upon papists, whilst you,

at the same time, accused the papists of the crime of being persecutors, shall glow around; your native land shall be to you the country of strangers; you shall be aliens in the soil that gave you birth, and whilst every foreigner may, in the land of your forefathers, attain rank, station, emolument, honours, you alone shall be excluded; and you shall be excluded for no other reason but a conscientious abhorrence to the religion of your ancestors.

“Only think, gentlemen, of the scandalous injustice of punishing you because you are Protestants. With what scorn—with what contempt do you not listen to the stale pretences—to the miserable excuses by which, under the name of state reasons and political arguments, your exclusion and degradation are sought to be justified. Your reply is ready—‘perform your iniquity—men of crimes (you exclaim) be unjust—punish us for our fidelity and honest adherence to truth, but insult us not by supposing that your reasoning can impose upon a single individual either of us or of yourselves.’ In this situation let me give you a viceroy; he shall be a man who may be styled—by some person disposed to exaggerate, beyond bounds, his merits, and to flatter him more than enough—‘an honourable man and a respectable soldier,’ but, in point of fact, he shall be of that little-minded class of beings who are suited to be the plaything of knaves—one of those men who imagine they govern a nation, whilst, in reality, they are but the instruments upon which the crafty play with safety and with profit. Take such a man for your viceroy—Protestant Portuguese. We shall begin with making this tour from Tralos Montes to the kingdom of Algesiras—as one amongst us should say, from the Giant’s Causeway to the kingdom of Kerry. Upon this tour he shall affect great candour and good-will to the poor suffering Protestants. The bloody anniversaries of the inquisitorial triumphs of former days shall be for a season abandoned, and over our inherent hostility the garb of hypocrisy shall, for a season, be thrown. Enmity to the Protestants shall become, for a moment, less apparent; but it will be only the more odious for the transitory disguise.

“The delusion of the hour having served its purpose, your viceroy shows himself in his native colours; he selects for office, and prefers for his pension-list, the men miserable in intellect, if they be but virulent against the Protestants; to rail against the Protestant religion—to turn its holiest rites into ridicule—to slander the individual Protestants, are the surest, the only means to obtain his

favour and patronage. He selects from his popish bigots some, being more canine than human, who, not having talents to sell, brings to the market of bigotry his impudence—who, with no quality under heaven, but gross, vulgar, acrimonious, disgustful, and shameless abuse of Protestantism to recommend him, shall be promoted to some accountant-generalship, and shall riot in the spoils of the people he traduces, as it were to crown with insult the severest injuries. This viceroy selects for his favourite privy councillor some learned doctor, *half lawyer, half divine, an entire, brute*, distinguished by the unblushing repetition of calumnies against the Protestants. This man has asserted that Protestants are perjurers and murderers in principle—that they keep no faith with papists, but hold it lawful and meritorious to violate every engagement, and commit every atrocity towards any person who happens to differ with Protestants in religious belief. This man raves thus, in public, against the Protestants, and has turned his ravings into large personal emoluments. But whilst he is the oracle of minor bigots, he does not believe himself, he has selected for the partner of his tenderest joys, of his most extatic moments—he has chosen for the intended mother of his children, for the sweetener and solace of his every care, a Protestant, gentlemen of the jury.

“Next to the vile instruments of bigotry, his accountant-general and privy councillor, we will place his acts. The Protestants of Portugal shall be exposed to insult and slaughter; an Orange party—a party of popish Orangemen, shall be supposed to exist; they shall have liberty to slaughter the unarmed and defenceless Protestants, and as they sit peaceably at their fire-sides. They shall be let loose in some Portuguese district, called Monaghan; they shall cover the streets of some Portuguese town of Belfast with human gore; and in the metropolis of Lisbon, the Protestant widow shall have her harmless child murdered in the noon day, and his blood shall have flowed unrequited, because his assassin was very loyal when he was drunk, and had an irresistible propensity to signalise his loyalty by killing Protestants. Behold, gentlemen, this viceroy depriving of command, and staying the promotion of, every military man who shall dare to think Protestants men, or who shall presume to suggest that they ought not to be prosecuted. Behold this viceroy promoting and rewarding the men who insulted and attempted to degrade the first of your Protestant nobility. Behold him in public, the man I have described.

"In his personal concerns he receives an enormous revenue from the people he thus misgoverns. See in his management of that revenue a parsimony at which even his enemies blush. See the paltry sum of a single joe refused to any Protestant charity, whilst his bounty is unknown even at the popish institutions for benevolent purposes. See the most wasteful expenditure of the public money—every job patronised—every profligacy encouraged. See the resources of Portugal diminished. See her discords and her internal feuds increased. And, lastly, behold, the course of justice perverted and corrupted.

"It is thus, gentlemen, the Protestant Portuguese seek to obtain relief by humble petition and supplication. There can be no crime surely for a Protestant oppressed, because he follows a religion which is, in his opinion, true, to endeavour to obtain relief by mildly representing to his popish oppressors, that it is the right of every man to worship the Deity according to the dictates of his own conscience; to state respectfully to the governing powers that it is unjust, and may be highly impolitic to punish men, merely because they do not profess popery, which they do not believe; and to submit, with all humility, that to lay the burdens of the state equally, and distribute its benefits partially, is not justice, but, although sanctioned by the pretence of religious zeal, is, in truth, iniquity, and palpably criminal. Well, gentlemen, for daring thus to remonstrate, the Protestants are persecuted. The first step in the persecution is to pervert the plain meaning of the Portuguese language, and a law prohibiting any *disguise* in apparel, shall be applied to the ordinary *dress* of the individual; it reminds one of *pretence* and *purpose*. To carry on these persecutions, the viceroy chooses for his first inquisitor the descendant of some popish refugee—some man with an hereditary hatred to Protestants; he is not the son of an Irishman, this refugee inquisitor—no, for the fact is notorious, that the Irish refugee papists were ever distinguished for their liberality, as well as for their gallantry in the field and talent in the cabinet. This inquisitor shall be, gentlemen, a descendant from one of those English papists, who was the dupe or contriver of the Gunpowder Plot! With such a chief inquisitor, can you conceive any thing more calculated to rouse you to agony than the solemn mockery of your trial. This chief inquisitor begins by influencing the judges out of court; he proceeds to inquire out fit men for his interior tribunal, which, for brevity, we will call a jury. He selects his juries from

the most violent of the popish Orangemen of the city, and procures a conviction against law and common sense, and without evidence. Have you followed me, gentlemen? Do you enter into the feelings of Protestants thus insulted, thus oppressed, thus persecuted—their enemies and traducers promoted, and encouraged, and richly rewarded—their friends discountenanced and displaced—their persons unprotected, and their characters assailed by hired calumniators—their blood shed with impunity—their revenues parsimoniously spared to accumulate for the individual, wastefully squandered for the state—the emblems of discord, the war-cry of disunion, sanctioned by the highest authority, and Justice herself converted from an impartial arbitrator into a frightful partisan?

“Yes, gentlemen, place yourselves as Protestants under such a persecution. Behold before you this chief inquisitor, with his prejudiced tribunal—this gambler, with a loaded die; and now say what are your feelings—what are your sensations of disgust, abhorrence, affright? But if at such a moment some ardent and enthusiastic papist, regardless of his interests, and roused by the crimes that were thus committed against you, should describe, in measured, and cautious, and cold language, scenes of oppression and iniquity—if he were to describe them, not as I have done, but in feeble and mild language, and simply state the facts for your benefit and the instruction of the public—if this liberal papist, for this, were dragged to the Inquisition, as for a crime, and menaced with a dungeon for years, good and gracious God! how would you revolt at and abominate the men who could consign him to that dungeon! With what an eye of contempt, and hatred, and despair, would you not look at the packed and profligate tribunal, which could direct punishment against him who deserved rewards! What pity would you not feel for the advocate who heavily, and without hope, laboured in his defence! and with what agonized and frenzied despair would you not look to the future destinies of a land in which perjury was organized, and from which humanity and justice had been for ever banished!

“With this picture of yourselves in Portugal, come home to us in Ireland, say is that a crime, when applied to Protestants, which is a virtue and a merit when applied to papists? Behold how we suffer here; and then reflect, that it is principally by reason of your prejudices against us that the Attorney-General hopes for your verdict. The good man has talked of his impartiality; he will suppress, he says, the licentiousness of the Press. I have, I hope, shown you the

right of my client to discuss the public subjects which he has discussed in the manner they are treated of in the publication before you, yet he is prosecuted. Let me read for you a paragraph which the Attorney-General has not prosecuted—which he has refused to prosecute :

“ ‘ BALLYBAY, JULY 4, 1813.

“ ‘ A meeting of the Orange lodges was agreed on, in consequence of the manner in which the Catholics wished to have persecuted the loyalists in this county last year, *when they even murdered some of them for no other reason than their being yeomen and Protestants.*’

“ And, again—

“ ‘ It was at Ballybay that *the Catholics murdered one Hughes, a yeoman serjeant, for being a Protestant, as was given in evidence at the assizes by a Catholic witness.*’

“ ‘ I have read this passage from the *Hibernian Journal* of the 7th of this month. I know not whether you can hear, unmoved, a paragraph which makes my blood boil to read ; but I shall only tell you, that the Attorney-General refused to prosecute this libeller. Gentlemen, there have been several murders committed in the county of Monaghan, in which Ballybay lies. The persons killed happened to be Roman Catholics ; their murderers are Orangemen. Several of the persons accused of these murders are to be tried at the ensuing assizes. The agent applied to me personally, with this newspaper ; he stated that the obvious intention was to create a prejudice upon the approaching trials favourable to the murderers, and against the prosecutors. He stated what you—even you—will easily believe, that there never was a falsehood more flagitiously destitute of truth than the entire paragraph. I advised him, gentlemen, to wait on the Attorney-General in the most respectful manner possible, to show him this paragraph, then to request to be allowed to satisfy him as to the utter falsehood of the assertions which this paragraph contained, which could be more easily done, as the judges who went that circuit could prove part of it to be false ; and I directed him to entreat that the Attorney-General, when fully satisfied of the falsehood, would prosecute the publisher of this, which, I think, I may call an atrocious libel.

“ Gentlemen, the Attorney-General was accordingly waited on ; he was respectfully requested to prosecute upon the terms of having the falsehood of these assertions first proved to him. I need not tell you he refused. These are not the libellers *he* prosecutes. Gentle-

men, this not being a libel on any individual, no private individual can prosecute for it; and the Attorney-General turns his Press loose on the Catholics of the county of Monaghan, whilst he virulently assails Mr. Magee for what must be admitted to be comparatively mild and inoffensive.

"No, gentlemen, he does not prosecute this libel. On the contrary, this paper is paid enormous sums of the public money. There are no less than five proclamations in the paper containing this libel; and, it was proved in my presence, in a court of justice, that, besides the proclamations and public advertisements, the two proprietors of the paper had each a pension of £400 per annum, for supporting government, as it was called. Since that period one of those proprietors has got an office worth, at least, £800 a year; and the son of the other, a place of upwards of £400 per annum: so that, as it is likely that the original pensions continue, here may be an annual income of £2,000 paid for this paper, besides the thousands of pounds annually, which the insertion of the proclamations and public advertisements cost. It is a paper of the very lowest and most paltry scale of talent, and its circulation is, fortunately, very limited; but it receives several thousands of pounds of the money of the men whom it foully and falsely calumniates.

"Would I could see the man who pays this proclamation money and these pensions at the castle. [Here Mr. O'Connell turned round to where Mr. Peele* sat.] Would I could see the man who, against the fact, asserted that the proclamations were inserted in all the papers, save in those whose proprietors were convicted of a libel. I would ask him whether this be a paper that ought to receive the money of the Irish people?—whether this be the legitimate use of the public purse? And when you find this calumniator salaried and rewarded, where is the impartiality, the justice, or even the decency of prosecuting Mr. Magee for a libel, merely because he has not praised public men, and has discussed public affairs in the spirit of freedom and of the constitution? Contrast the situation of Mr. Magee with the proprietor of the *Hibernian Journal*; the one is prosecuted with all the weight and influence of the crown, the other pensioned by the ministers of the crown; the one dragged to your bar for the sober discussion of political topics, the other hired to disseminate the most horrid calumnies! Let the Attorney-General now boast of his

* Chief Secretary to the Lord Lieutenant.

impartiality; can you credit him on your oaths? Let him talk of his veneration for the liberty of the Press; *can you* believe him in your consciences? Let him call the Press the protection of the people against the government. Yes, gentlemen, believe him when he says so. Let the Press be the protection of the people; he admits that it ought to be so. Will you find a verdict for him, that shall contradict the only assertion upon which he and I, however, are both agreed?

"Gentlemen, the Attorney-General is bound by this admission; it is part of his case, and he is the prosecutor here; it is a part of the evidence before you, for he is the prosecutor. Then, gentlemen, it is your duty to act upon that evidence, and to allow the Press to afford some protection to the people.

"Is there amongst you any one friend to freedom? Is there amongst you one man, who esteems equal and impartial justice, who values the people's rights as the foundation of private happiness, and who considers life as no boon without liberty? Is there amongst you one friend to the constitution—one man who hates oppression? If there be, Mr. Magee appeals to his kindred mind, and confidently expects an acquittal.

"There are amongst you men of great religious zeal—of much public piety. Are you sincere? Do you believe what you profess? With all this zeal—with all this piety, is there any conscience amongst you? Is there any terror of violating your oaths? Be ye hypocrites, or does genuine religion inspire ye? If you be sincere—if you have conscience—if your oaths can control your interests, then Mr. Magee confidently expects an acquittal.

"If amongst you there be cherished one ray of pure religion—if amongst you there glow a single spark of liberty—if I have alarmed religion, or roused the spirit of freedom in one breast amongst you, Mr. Magee is safe, and his country is served; but if there be none—if you be slaves and hypocrites, he will await your verdict, and despise it."

And slaves, hypocrites, and bigots they proved themselves, by finding a verdict for the crown.

APPENDIX.

ONE circumstance of the anecdote we have given of Mr. O'Connell's rencontre with the unfortunate Messrs. John and Henry Sheares in the Dover packet-boat, in January, 1793, has been, accidentally, omitted.

The Messrs. Sheares, when speaking of their having attended the execution of Louis XVI., displayed a bloody handkerchief, being one they had themselves imbrued in the blood of the slaughtered monarch.

Accident has also led to the omission of a few other matters, amongst which is one incident of the year 1799, when Mr. O'Connell had a narrow escape of his life.

Returning one evening, in the earlier part of that year, from presiding as *master* over a meeting of a Masonic lodge,* held in Bride-street, his attention was attracted by a large fire which had broken out in a timber yard, at the corner of Stephen-street. An immense crowd had collected, and a party of military (or rather of English militia—the Staffordshire regiment)—were there to keep the peace, under the orders of one of the city sheriffs, *Mr. Macready*, father of the celebrated tragedian of that name. He had several men employed to remove the pavement that water might be got from the street pipe to supply the engines; but they worked so lazily that there was considerable delay in procuring any.

With the wild spirits of youth, Mr. O'Connell forced his way through the crowd into the enclosed space where the men were working, and pushing one of them roughly aside, snatched the pick-axe from his hands, and set vigorously about to work himself. The crowd cheered him lustily, and, as he himself describes it, he was so

* He has long since publicly disconnected himself with Freemasonry.

delighted with their cheers that he went on, utterly regardless of the directions and orders the sheriff was giving him, and bid fair to unpave the whole street before stopping.

Sheriff Macready, finding all his words in vain, angrily ordered the soldiers to stop him; and one of them instantly set about doing so in the most effectual way, by a direct charge with his bayonet. Fortunately, the weapon, which came with the man's full force, struck Mr. O'Connell's watch, else, on that spot his agitation had ended for ever. Of course, no second *warning* of that kind was needed, and he made his escape as fast as possible.

Mr. O'Connell has never been before the public as a steward of a horse race, a capacity, however, which it once fell to his lot to fill, and in which he drew up the "*article*" given in the following extract from the *Sporting Magazine*, number for July, 1805, p. 223.

"SINGULAR RACE.

"In the Irish Racing Calendar of June 22, we observe the following very singular terms for a race, on Thursday, the 29th August next:—

"Sixty pounds, given by the gentlemen of the profession of the law of the county of Kerry—for all horses &c., carrying nine stone.

"Four-mile heats.

"Horses, &c., starting for this plate must be *bona fide* the property of a gentleman who shall have, prior to the first day of the meeting, actually expended, in fair adverse litigation, the sum of two hundred pounds.

"Horses, &c., of all persons who have so expended one thousand pounds, allowed three lbs.

"All horses, &c., to be qualified upon the honour of an attorney, if required by the stewards.

"As the plate is intended solely for amateurs, no practising professional gentleman will be allowed to start a horse."

The race thus announced actually took place at the time indicated. Three horses started; and, after a well-contested race, the plate was won by a horse belonging to the Rev. Mr. Dennis, a Protestant clergyman of the county Wicklow, who qualified for the allowance of three lbs., mentioned in the article, by the fact of having expended considerably *more* than one thousand pounds in litigation.

PADDY TO NEDDY.

“THE BAR AND THE BARON,”

“ ‘ *And we also have our Baron.* ’ ”

“ As sure as a gun, from the Bann to the Carron,
They shall hear of the row 'twixt the Bar and the Baron !
I've sworn it, Neddy, and can it be treason
To jingle in rhyme, what has nothing of reason ?
And, faith, 'tis so comic, 'twere surely a pity
To deny it the meed of a fugitive ditty.
The Baron—but he's been so often in prose,
'Twere needless to tell you what *ev'ry one knows*.
And what ev'ry one, too, in the land will remember,
From New-year's day down to the last of December—
Suffice it to say he's the law's purest pillar,
And, tho' sprung from a *worm*, detests a distiller !
The beginning of winter, his highness, quite frisky,
Commenc'd a campaign 'gainst the sellers of whiskey,
And swore by his valour, he'd settle his throne
On a seat of a still, in renown'd Ennishow'n.

Oh ! I wish you had seen
How he ravag'd the green,
Down rock and down glen,
With his battle-axe men ;
The Poteen-men
Thought again
He'd finish'd their job,
And the pot-ale
Grew pale
At the sight of his nob.

Full many can tell what a terrible milling
He gave them, from Longford, all thro' Enbiskillen.

Some blackletter scavan
• Tried to stop him at Cavan,
But, like fat in the fire,
It inflam'd him the higher,
And he seiz'd the diploma
From havock, at Omagh !

You must know that the chief, in the height of his fury,
Campaigns with a life-guard he christens a jury ;
And, ere he assails the distillers at large,
The life-guard is sure to be tried at a *charge* ;

So that many suppose, should his foes grow much larger,
 That he'll rival the **GREAT METROPOLITAN CHARGER!!!**
 At Omagh, when charging, they say that a *Moor*
 (No Christian would venture to do it I'm sure)
 Attempted to give the proud hero a knock,
 Who, with dignity, said 'Faugh, my feelings you shock;
 So be off, you spalpeen, or you'll lie in the dock.'
 Have you e'er seen a cur sneaking off in a dump,
 While a scavenger gave him a kick in the rump.
 Just so fled the hapless, unfortunate elf,
 Nor till out in the air, did he come to himself;
 Then cried he, 'I'll go tell it as I'm a sinner,
 To my friends, who are now at their punch, after dinner.'
 He told them his tale, but the moment he spoke,
 The sweet Ennishow'n lost the smell of its smoke!!!
 For a time all was mute—but snug Orator Smyly
 Got on his legs, and declar'd very dryly,
 'For his part, he'd never consent to make war on
 Such a sweet-temper'd, popular, patriot Baron.'
 The example once set, was soon followed by Torrens,
 Who exclaim'd, 'Such a thought had his perfect abhorrence.'
 All was silence again, when, at last, little Macklyn
 ANNOUNC'D that 'he'd give that same Baron a hackling.'
 The matter here rested, but yet, I am sure,
 Some censur'd the Baron, and pitied the Moor;
 Unwither'd by age—uncorrupted by art,
 You must see on their cheek the rich glow of their heart—
 Misguid'd young noodles! who never could credit,
 That virtue was folly, tho' sergeants had said it;
 But, no matter—they'll see, ere they go very far,
 That's not the best way to go on at the Bar—
 Tho' now tell it to them, if I err, may a murrain
 Fall on me at once! they'll straight instance you—CURRAN;
 As if all men, like Curran, could soar into place,
 WITH A PATENT DIRECT FROM THE DEITY'S GRACE.
 When the MOOR and his friends had thus grievously differ'd,
 The Baron and guards set off charging for Lifford;
 But the MOOR well determin'd that he'd rule the roost,
 Sent the whole of the row to the next *Evening Post!!!*
 So that when they had met in their general hall,
 The whole pack were in print—Baron, jury and all!!!
 And many suppos'd, that as things went so far,
 Nothing less could be done than assemble the Bar;
 While others exclaim'd, might they die and be curst,
 If they'd meet—until the Nor-Westerns met first;
 And, faith, the Nor-Westerns thought it nothing but fudge
 In them for to meet in the teeth of a judge!

Besides, 'twas too late, and they thought that the Moor
 Should have settled the matter at Omagh before.'
 'By jingo,' said he, 'you were after your lunch,
 When I laid the whole story before you at punch;
 But next as you choose, you're beyond my dominion,
 And now must abide by the public opinion.'
 Indeed and indeed, you'd have pitied their cases,
 Dear Neddy, if you could have witness'd their faces;
 And 'twas grievous enough, upon them I confess,
 To be kick'd into justice by means of the Press!
 Meet, however, they did, in the Rolls Court, at five,
 But, faith, ev'ry man seem'd more dead than alive;
 They all took their seats—little Randle was there,
 With his pen and ink-horn, just under the Chair!
 He had settled his wig like a little recorder,
 When somebody rose to a question of order.
 'The Press, sir,' said he, 'has thought proper of late,
 To take on itself such abundance of state,
 That if peasant or peer does but one single turn ill,
 Its sure to get into some damnable journal!
 Now, I trust, that you'll think—(and they all cry'd "hear Neddy")
 We have suffer'd enough from its malice already;
 I'll say nothing more, but as sure as you're born,
 We'll all be mark'd out as the objects of scorn,
 Unless little Randle puts up the ink-horn.' }
 'May I linger my life in remote Innisfallen,
 If I see any motive there's for it,' says Allen;
 'If we do as we ought, and we should not do less,
 What have we to fear from a fifty-fold Press?
 Do nothing in secret—throw open your door—
 I wince not—I blench not—my conscience is pure.'
 Now, perhaps, Neddy, you think I'm turn'd a jester,
 In giving such sentiments to a Nor-Wester;
 But there's not in creation from centre to pole,
 Than Allen a richer example of soul.
 Let the Sun make a search o'er the surface of nature,
 He'll grow dim ere discover an honest creature!
 But the speaker and sentiment soon were put down,
 And poor Allen encounter'd a general frown.
 Now the secret insur'd—all was silence around,
 And the mug of each nob wore an *empty profound*.
 When up got one, lauded the Baron most highly,
 You may guess it was ——g, or——, or Smyly,
 A rabble of cyphers we meet ev'ry hour.
 Quite ready to swell out the numbers of power;
 Men, in whose calculation, servility's spirit!
 And meanness atones for the absence of merit.

Just Heav'n! how I smile at the spaniel-like slave,
 Who fawns for his crumb at the foot of a knave.
 Believe me, my Neddy, that honesty sold,
 Has a sorry exchange in Golconda's of gold,
 And the poor little spot we must come to at last,
 When life has gone by like the song of the blast,
 Will look greener on earth, ay, and better from heaven,
 Than the pile from high-sounding depravity given.
 Besides, but examine the lover of pelf,
 You'll see that he's often asham'd of himself;
 Let him toil in the palace, or fly to the wild wood,
 He's pursu'd and reproach'd by the feel of his childhood;
 Like the blush of a hectic, it comes o'er his frame,
 To cover his innate disorder with shame!
 Thus the Baron's supporter declar'd that the tone,
 Which he gave to the anthem, was none of his own;
 That he spoke it, forsooth, by a mighty permission;
 That he'd had it, in fact, as a kind of commission—
 While others were musing, and scratching their nob,
 To think who could give him so comic a job,
 I could think but of one 'bove the regions of Charon,
 And I guess'd him, by gob, for that one was—the BARON!!
 The business thus done, they broke up in a minute,
 Tho' faith, 'twas a bull to have secrecy in it;
 For they swore *una voce*, both mighty and small,
 That they'd do what they'd met for—just *nothing at all!*
 The farce of the meeting thus being gone through,
 The Moor and his friends look'd exceedingly blue;
 And each man exclaimed, whether noodle or nester,
 'I am glad in my heart I am not a Nor-Wester.'
 Poor Allen declared, that he feared all their trouble,
 Would prove in the end nothing more than a bubble;
 'They should summon a meeting unlike the Nor-West,
 Where innocence wrong'd would be more than a jest;
 'Twas in want of despatch that the principal sin lay,
 And the paper once signed should be handed to Finlay.'
 The paper once drawn was soon ready for signing,
 Which *all* were convinc'd *none* would think of declining;
 For how could they brand the Nor-Westers with shame,
 And in the same circumstance *just do the same?*
 The first thing he went to was Castle-hack Swift,
 In the vain expectation of getting a lift,
 But S——t who despises the semblance of grace,
 Declar'd in a moment that *he had a place!*
 He went up to another—'Sir, you'll not reject it,
 As *you* have no place—' But, dear sir, I—*expect it!*
 However, one told him he'd put his name down,
 If the thing was set going but by a SILK GOWN!

'O ho, then,' said Finlay, 'no longer I'm fooled
 I can get that at once by just going to Gould,
 For he has been speeching for hours on the floor,
 On the injury done to the innocent Moor —
 He'd a wife and five children in North Merrion-square,
 And he'd sacrifice all—for the good of the Bar.'

You must know little Tom
 At the moment had come,
 Just out to the hall for a little relief,
 From his usual sport
 In the Common Pleas Court,
 A good humour'd row with the black letter Chief—
 He was vapouring
 And capering,
 And looking quite big,
 And blinking and sinking
 'But he had some gig.'

Finlay went up in the midst of the vapour.
 'And handed our hero the *unanimous* paper.
 'You mean, I suppose sir,' said he, 'I should sign it,
 Believe me, my friend, I don't mean to decline it;
 But take my advice'—and he gave him a nudge—
 'Try first if you can get it done by a JUDGE.'—
 There are some men, I own, neither vicious nor tainted
 Who will smile at the ludicrous meanness I've painted.
 In myself, the first impulse is certainly laughter;
 But, alas! a more serious sensation comes after.
 As I look with contempt on the sad passing scene,
 Fond memory turns to the days that have been,
 When none but the brave, the high-minded, the free,
 Dare call thee his country—green isle of the sea!
 Ah! who could foresee at that era of gold,
 When thy monarchs were pure, and thy patriots bold—
 When thy native rang'd free o'er his ancestor's field,
 And the shamrock, unwithering glow'd on his shield—
 Who could think that the period was ever to come,
 When the land of the brave was to be but his tomb?
 And a yampire creation should spring from his grave,
 A mixture of tyrant, and traitor, and slave!
*It is meet, it is meet, that the miscreant hand,
 Which sold, should insult thee, unfortunate land!*
 But, oh! is it meet, a high-minded profession,
 Should first bow its neck to the rod of oppression?
 Ye Burghs and Duqueries—turn, turn away,
 Nor blast thy pure glance with the curse of this day,
 'Mid the sunshine of heaven, thy spirits of light,
 Would weep at the taitors that wither my sight.

The time is no more when the patriot mind,
 By genius exalted, by study refined,
 Caught its lustre direct from philosophy's ray,
 And pour'd it around with the radiance of day.
 But, alas! these were times when our green mountain isle
 Receiv'd and return'd sweet liberty's smile,
 When like God's sacred ark, in the midst of the flood,
 A heaven-built temple, sublimely she stood,
 The ocean wave shielding her base with its might,
 While her summit was lost in the realms of light!
 Oh, curse on the sin that polluted our shrine,
 And brought on our temple the vengeance divine.
 Come, pilgrim, with me, let us tramp with disgust
 On the loathsome creation that crawls o'er its dust—
 A nameless and shameless contemptible race,
 For notice too mean, if they were not so base,
 Boasting as knowledge a dirty chicane,
 Of virtue afraid, of servility vain
 With no passion but envy, no motive but gain! }

But let them pass on—faith in this disquisition,
 I had almost forgotten our poor requisition;
 Forgive me—no more in the abstract I'll deal,
 But by heavens, I'll hang on a gibbet of steel,
 Be him 'old, be him young, be him poor, be him wealthy,
 Be him high, be him low, be him rotten or healthy,
 The wretch who would barter his conscience for pelf,
 And sacrifice every thing sacred, to—self!
 I'll do it, that no one may fancy I'm funning,
 As sure as—Tim Driscoll's allow'd to be cunning—
 Or as sure as Lefroy has a pastoral face—
 Or as sure as Dick Maunsell works hard for his place.
 When Finlay thus saw his poor paper rejected,
 By men who nor honour nor virtue respected,
 He went up to one who had made no profession,
 And proffer'd it—'Sir, is't an act of oppression?'
 'Why, yes, in my mind, it comes under that term;
 'Tis th' attempt of a Baron to trample a worm;'—
 'Then give me your paper—I'll sign it this minute—
 'Tis so foul, that no man can be warranted in it.'
 God help you, O'Connell, if your not a knave,
 You'll never put on the silk badge of a slave.
 No longer a notion of office pursue;
 The times are not suited to such men as you!
 The paper, thus sanction'd, was soon signed by twenty,
 A number which Finlay imagin'd was plenty.

So he went to the father with his simple petition;
 'Sir, you'll summon a meeting on this requisition.'
 Have you e'er seen an old wish'd wind-beaten rat
 Pursued thro' a granary by a Tom-cat?
 But the hunt was quite useless—for he swore damnation
 To him if he'd call it—'*twould hurt his vocation!*
 'Then since *you* won't, we'll call it ourselves, d'ye see;
 So they call'd it, and fix'd it for Friday at three—
 But the BENCHERS appointed another at five,
 And they swore the poor Moor should be roasted alive!!
 Yes, they swore that the wretch they would certainly roast,
 For daring to think of the *damn'd Evening Post!!!*
 But who are the BENCHERS, and what are their station?
 IN MY NEXT YOU SHALL HEAR OF THEIR WHOLE GENERATION.
 Suffice it to say, the unfortunate Moor,
 Though frighten'd at Omagh, was now frighten'd more.
 And his friends all imagin'd the wide world's riches
 Wouldn't keep him from wreaking it all on—*his breeches!*
 Says he, 'I'll choose counsel—to them I'll be pliant—
 If I plead for myself—I've a fool for my client.'
 The first may he chose was a BATTERING RAM—
 The next was all PRIMNESS, AND MEEK AS A LAMB—
 The third I before with good humour described,
 Tho' he's brawling and bawling that he has been gibed,
 And swears tho' he can't put his paw upon me,
 He'll dismantle the *Post*, and dismember MAGEE!
 Tace, Tace, good Tom, or as sure as you're born,
 You shall own till your death I have hay on my horn.
 With blockheads and knaves hold no further communion,
 But act from yourself as you did at the Union;
 Believe me, one feeling I would not offend,
 In a man whom his country has known for a friend,
 Who has spirit superior to many about him,
 And talents so various that no one can doubt 'em.
 Do but act from *your heart*, let what will betide,
 And, 'by God,' I shall owe it with pleasure and pride.
 But *thou* addle egg of an ill-omen'd nest!
 Thou formal confusion! thou methodis'd jest!
 Who advis'd him to do it—I'll have thy dull noddle
 Hitch'd into a song, and sung out through the Poddle,
 If I hear but one effort malignant again,
 To debase to thy level much honester men.—
 The Moor's counsel now on his business debated,
 And as they agreed he was horribly treated,
 They advis'd him at once without any tautology,
 To act like a hero, and—make an APOLOGY.
 But who are the benchers? Why, faith, 'tis a question,
 Which, before I can answer, requires some digestion.

They're a nondescript body, in this land of freedom,
 And, to tell you the truth, I don't think that we need 'em;
 But no doubt all their powers are genuine quite,
 For they own to possessing them *in their own right* !
 They can call you before them for looking awry,
 And can punish you, too, without telling you why !
 They ask you no questions, and no one denies,
 That's the way to be certain you'll tell them no lies.
 They'll accuse you, 'tis true, but they'll hear no defence—
 Now, that's constitutional, ay, and it's sense ;
 A man brought before them's just in the condition,
 Of an heretic answering the Inquisition !
 But all must allow, that their Honors, the Benchers,
 May do this, and more, too, by right of—*their trenchers*.
 Such was the court, that unfortunate MOOR
 Was called for his error to answer before.
 One question they asked him, and that you may guess,
 Was, whether he dared to RESORT TO THE PRESS !
He allowed it, and, faith, you'd think they'd eat him,
 As they thundered aloud 'twas SCANDALUM MAGNATUM.
In vain did he urge that his ignorant youth,
Might stand his excuse for declaring the truth ;
They fairly exclaimed, such a foolish confession
Was very unworthy—the legal profession.
 And the chief, in a manner impressive and clear,
 Bid him canter away, with a flea in his ear ;
 You may doubt, if you choose, but I'm certain and sure,
 The chief is a nob, patriotic and pure,
 For he lately has given his absolute VETO,
 AGAINST EATING A PIE OR AN APPLE POTATO !!!
 And that's a great compliment to Johnny Bull,
 Whose life's but a bore, if his belly's not full.
 I had nearly forgot, there was one in the hall,
 Who couldn't agree in their notions at all ;
 Tho', perhaps, all reflection 'tis better to spare,
 And tell you, at once, that our CURRAN was there ;
 For with us, my dear Neddy, that name, like a beacon,
 Shows clearly the path that its owner has taken.
 Alas ! at that time, when the wit and the sage,
 Must weep o'er the wisdom and light of his age ;
 When thy mirth, and thy fire, and thy honesty o'er
 The angels will lead us thy presence no more ;
 And a nation in silence must sigh for the day,
 Which has torn from her heart-strings their darling away
 What solacing spirit shall comfort us then ?
 What hope can delude with thy promise again ?
 It is not, I own it, to every one given,
 To seize, with thy magic, the lightnings of heaven,

To subject the passions with impulse divine,
 To command with a cadence the charms of the time,
 To wield, like enchantment, a fairy control,
 And bind with an amulet body and soul.
 But, oh! surge, like thee, we are given the power,
 Indignant, to trample the slaves of the hour,
 And walk in the path thy integrity trod;
 Our heart, like our form, the image of God.
 When Curran departed, the *Moor* was beat hollow,
 For no one e'en thought of attempting to follow;
 The *Moor*, they all argued, was nothing to them,
 And tho' ruin ensued, they decreed to condemn.
 Ah! Neddy, 'tis hard in this ILL-OMENED hour,
 And harder again in this prostrated land
 For innocence wronged to contend against power,
 Or raise, save in sorrow, its manacled hand!
 Who could ever expect from that whimsical court
 A verdict impartial, or upright to hear,
 Of its oracles many were titled in sport,
 And the wreck of the country has floated them there
 'Tis vain to expect but a nation's disgrace,
 When traitorous servitude stands at the helm
 When forfeited honor's the title to place
 And perfidy's paid by the sale of the realm!
 Sure he is a fool who could ever suppose,
 That he'd obtain justice, tho' e'en for a minute,
 From a conclave of Benchers, whom every one knows,
 If Justice had eyes, she would never put in it!

Play a tune to a bear,
 And he'll surely dance awry,
 Yet, faith, 'tis as fair
 To hope grace from a bear,
 As sense from a body,
 Where, like sweeps in a noddy,
 An old woman's nudged by a master in chancery.
 May I die of Nor-Wester,
 If I wouldn't dig all-day
 Sooner than stand
 At the bar of a band,
 Where a six clerk and coronet,
 Baron and baronet,
 A noodle and *Nestor*
 A judge and a jester,
 Lie all a pigging
 Just like piggen-riggen,
 Higgleddy piggleddy!

You'd as soon see a corn-crake humming a tune,
 Or a snipe
 Dance a hornpipe,
 By the light of the moon,
 Or a frog in a quinsy, singing Eileen-a-Rooue.
 As yet
 Such a set,
 By any means brought
 By a jibe,
 Or a bribe,
 To the thought
 That they ought.
 But though I suppose that you are not damn'd sick,
 Or would sooner have prose,
 Than 'this sweet dithyrambic ;
 Yet, as I'm perplex'd,
 And very much tired,
 We'll defer till my next
 The names that conspired ;
 And by Jove if the muse
 • Don't her office refuse,
 I can tell you my Neddy,
 If they're not so already,
 The nob's by that time will be woefully vex'd.

“ THE DINNER.

“ In order to prove, dear Neddy, that all I have said of them was true, the servile Nor-Westers (*North-west Bar*) have asked the Baron to dine. I send you the account of the dinner, to the tune that was made for my own wedding ; and I give the copyright up to every one who has a voice to sing it :—

I.

“ Oh, never fear
 But you shall hear
 The fun of the Nor-West dinner O !
 They ate their fill,
 And they paid their bill—
 They did, as I'm a sinner O !
 As they all agreed
 Full cheap to feed,
 And cheaply to get mellow O !
 They wouldn't meet
 In Dawson-street,
 But they dined at Portobello O !

II.

" Old Father Joe,
 Like a plenipo,
 He sat at the top of the table O!
 Whilst the youngest man,
 Sent round his can
 At the foot, while he was able O!
 The *Baron* was there
 All in his own lair,
 He left his wig behind him O!
 And the man, that day,
 That drank *Roscrea*,
 It would be hard to find him O!

III.

" Old mumbling Stokes,
 Like John a Noakes,
 He help'd calf's-head to D——g O!
 And the Baron with grace
 Cut T——s a *plaise*,
 For which he long was leering O!
 R——li——n, by rule,
 Helped gooseberry fool,
 Which Smyly sipped like a Cupid O!
 And D——n, small,
 Sung Father Paul,
 And not a man look'd stupid O!

IV.

" When the clock was gone,
 And dinner done,
 The father fell a toasting O!
 And the waiter enquired,
 If any desired,
 That he'd bring the *Evening Post* in? O!
 At the very name,
 A shivering came,
 All over each Nor-Wester O!
 And the Baron's head
 Was so turned with dread,
 That he gave the man a tester O!

" When the Baron had gone in his jingle away,
 The glasses were marshalled in battle-array;
 And the remnant (who looked as they'd drink it in blood)
 Gave the memory of William—the great! and the good!!

Hear it, ye echoes ; and, oh ! let the name
 Of ' *Nor-Wester* ' be branded, a proverb of shame !
 Whom conscience impeaches and country disowns,
 Whose prayers become crimes 'mid the Deity's frowns.
 Should honour unnerved, for an epithet fester,
 Sum all baseness in one, and proclaim him ' *Nor-Wester* !'

* * * * *

When their folly was stingless, their passion but self—
 And their meanness commenced and concluded in self !
 Tho' moved with compassion I laughed with the rest,
 Even pity grew gay, and contempt had its jest.
 But now when I hear their impiety fell,
 Endeavour to waken the warwhoops of hell
 And wither again our unfortunate land,
 With the bigoted foreigners' pitiless band.
 Methinks that I hear the red blood of the brave,
 And the souls of the murdered, exclaim from the grave—
 ' Oh, save our poor orphans—nor suffer again,
 Our land to weep blood beneath merciless men !'

* * * * *

The following is the document drawn up by Mr. O'Connell, and entitled—

" MR. LALOR'S DEFENCE,"

Of which he makes mention in his speech of December 5, 1812, (taken from the *Freeman's Journal*, Tuesday, October 27, 1812):—

" TO THE EDITOR, &C.

" SIR—The manner in which you have introduced in your paper the name of John Lalor, of Cranagh, Esq., is calculated to do him the greatest injury in the public mind. Mr. Lalor's friends are convinced, that when the motives and reasons which governed his conduct are dispassionately considered, his integrity and his honour will remain, as they have hitherto done, unimpeached and unimpeachable.

" He is, he confesses it, tremblingly alive to the voice of his countrymen. The object—the only object of his public life has been the promotion, as far as humble means, and more humble abilities,

would allow, of the liberties and happiness of Irishmen. He did not, nor could he seek for himself place or pension, profit or emolument; and the honours which a minister can bestow have always been a subject for his contempt. With these sentiments, and with no other guide for his public conduct than zeal and honesty, he was so happy as to enjoy the esteem and the confidence of his oppressed countrymen. May he not, then, venture to ask, whether it is probable that a man who has devoted all his exertions in public life to the disinterested service of his countrymen, should voluntarily adopt any line of conduct which he deemed inconsistent with their interests? Surely it is highly improbable that he should desert his country's cause, which has ever been his pride; and he trusts, that when the reasons are considered upon which he has, on the present election, given his support to Mr. Bagwell, his conduct will not rest upon mere probability, but that every unbiassed man will admit, that Mr. Lalor has acted with the purest views, and from the best motives; nay, that under all the circumstances of the case, it was impossible he should act otherwise than as he has done.

"Yes; it was impossible that Mr. Lalor should have declined to support Mr. Bagwell at this election, because he had promised that support more than one year and a half ago. Gentlemen of Ireland, Irish Catholic gentlemen, his word was pledged. Is there a tie more binding?—an obligation more sacred? How often have you expressed your indignation at the foul calumny flung upon you by your enemies—a calumny put upon record in our qualification on Oaths, that you believed it was lawful 'to break faith with heretics?' No; the faith and honour of an Irish gentleman do not depend on the heresy, either religious or political, or the object to whom they are pledged; and Mr. Lalor, with perfect confidence, relies on this justification—that his word was pledged.

"Let it be distinctly understood, that Mr. Lalor is not solicitous to obtain or preserve the esteem of any man, who thinks that it is permitted to a gentleman to violate his promise. He trusts that there is not a man in Ireland of that opinion—he knows not such; if any so base there be, this appeal on behalf of Mr. Lalor is not addressed to him.

"Mr. Lalor made this promise in the presence of a gentleman of the first character for integrity and honour, George Lidwell, Esq. Mr. Lidwell is one of the most active of the supporters of Mr. Prittie,

but he is appealed to for the fact with the same confidence as if he had been the friend of Mr. Bagwell.

"Having thus established the fact of a previous promise, and knowing that the obligation of such a promise is not doubtful, the justification of Mr. Lalor may well be rested here; but there exists an anxiety, which cannot be considered as unbecoming, to make his vindication complete, and to replace him in that situation which he before occupied in public estimation.

"For this purpose, it would be desirable, upon his part, to state, at large, the motives which induced him to make his promise; and if the detail be not deemed tedious, it will, perhaps, appear perfectly satisfactory. The temper of the times has, indeed, changed within the last eighteen months; and the animosity with which the Catholics now view all persons connected with recent administration, has excited a spirit which disqualifies from judging of the effect of his motives at that period. Still it is expected that they will appear sufficiently powerful to palliate and to excuse, if not entirely to justify the promise.

"It was prior, too, to the period when Lord Yarmouth and his household were preferred to the Catholics. It was at a time when the Catholics might reasonably have looked forward to an administration favourable to Ireland; when it was supposed that the day was near, in which the firmest friends of the minister might also be amongst the best friends of the Irish. It was at a time when the most zealous of the Catholics were quite content to obtain the support of the members of parliament to their particular question; and many of them were extremely desirous not to allow the measure of Catholic Emancipation to be to the politics of the opposition people, as the natural result of persecution and of hope, doubly disappointed; but surely it would be most unfair to judge of the propriety of Mr. Lalor's promise upon grounds that did not exist when that promise was given, and with sentiments, the causes of which had not then arisen.

"It was at such a period as has been described, that Mr. Lalor promised his support to Mr. Bagwell; nor were there wanting abundant motives to require that promised friendship, of which Mr. Lalor was and is proud had long subsisted in private life between him and Mr. Bagwell. From the latter, Mr. Lalor had long experienced those courtesies and kindnesses which a man in Mr. Bagwell's

sphere of life had an opportunity of bestowing on any gentleman who belonged to the excluded class of the Irish community, but of which Mr. Lalor would not have condescended to accept, if they had not been tendered by the hand of friendship, and been compensated for by the reciprocal good offices within his power. From the year 1793, at which period Mr. Bagwell voted in favour of the Catholic bill, which enabled Mr. Lalor to enjoy the elective franchise, Mr. Lalor has availed himself of that privilege in the support of his friend, and thus has the friendship of many years' standing been cemented by those acts which, to each, evinced the kindly disposition of the other towards him; but there was a period in the melancholy history of this country when Mr. Lalor had occasion for all the influence possessed by Mr. Bagwell, to secure him from a prison and from banishment—perhaps from death—perhaps from much worse—from ignominious torture. Mr. Lalor feels no shame in making the avowal, but he would be ashamed, indeed, if he could forget the services he then received.

“It was in that year of horrors, 1798; he was a Catholic, possessed of an independent fortune in the county of Tipperary—both crimes, in the summer of 1796, of no small magnitude; but further, he had always avowed and maintained his attachment to the purest principles of the British constitution, and dared to speak of liberty, as he felt, with enthusiasm; nay more, he had been, it was well known, an United Irishman—that is, a member of the open society of United Irishmen that met in Back-lane, having for their only objects, as he was and is convinced, ‘parliamentary reform and Catholic emancipation’—that society, of which my Lord Castlereagh, ‘the then Hon. Robert Stuart,’ was a member, and therein must have pledged himself solemnly to both those measures.

“For some time before 1798, Mr. Lalor had taken no part in politics: he condemned and regretted the violence of all parties. He was offered the command of a corps of yeomanry, but he felt it a duty he owed to his country to refuse. Such, then, was his situation in that year. He was a Catholic, wealthy enough to tempt the avarice of the man who ordered Mr. Burke to pay him £1,000 for alleged political opinions: he was a friend to liberty, had been an United Irishman, and had refused to accept the command of a yeomanry corps.

“Recollect, too, what the state of the county Tipperary then was. No more need be said than that Sir Thomas J. Fitzgerald ruled

paramount. He is dead—unfortunately dead. He has escaped the vengeance of his country, and one is constrained by that consideration from depicting his reign of terror in all its horrid colours. But who can say that genuine fidelity to the throne and constitution—that perfect innocence of all traitorous signs or intentions—that detestation for revolutionary doctrines, so common and so strong in the minds of the best friends of real liberty; that all those combined—and Mr. Lalor trusts he combined them all—could afford any protection at that time in the county Tipperary? Who is it forgets that Mr. Wright was cruelly flogged in the streets of Clonmel by Sir Thomas, for no other reason than that he (Sir Thomas) did not understand French? Who has not heard of the torture inflicted by Sir Thomas upon Mr. Doyle, of Carrick-on-Suir, admitted to have been inflicted either through mistake or without cause—he could not tell which?

“It is unnecessary to go further, and it would be tedious to enumerate instances. What availed his innocence to Magrath, of Cloghgen, whom Sir Thomas, during his flogging, scarified in the breast with his penknife? Of what avail was his integrity to the respectable Mr. Fox, when lacerated to death at the triangle by Sir Thomas? The process was simple; it required neither trial nor accusation; nay, it was not necessary even to be suspected; mistake—caprice—anything—nothing—brought the victims to the torture; still more, acquittal was useless.

“For instance, a sessions was held at Cashel under the Insurrection Act; the magistrates, to the number of more than twelve, were all yeomen, ready enough to convict; three persons were brought forward for trial; there was not a shadow of evidence against them; they were acquitted and discharged. A day or two afterwards, Sir T. J. Fitzgerald arrived; he inquired for those prisoners—‘prisoners! why, they have been acquitted and discharged.’ ‘Have they so?’ said Sir Thomas, ‘then I shall have them back and flog them.’

“He turned round to Mr. Butler, of Ballycarroll, and Mr. Smithwick, two gentlemen of respectability and fortune, and ordered them to bring him the acquitted persons. They declared their inability to do so, as they were ignorant where they were gone. ‘Perhaps so,’ said Sir Thomas, ‘but if you do not bring them to me directly, I will flog you both instead of them, by God.’

“They, gentlemen, were aware of their danger; they pursued the poor men, who had returned home in the gladness of an acquittal; they brought them back to Sir Thomas, who had them instantly tied

up and cruelly flogged! Certainly, it would have left a strong impression on Mr. Lalor's mind, if Lord Llandaff had then, as he might have done, interfered with Sir Thomas (whom he had appointed sheriff) for his three poor tenants, who were thus first acquitted, and then flogged.

"The fate of Mr. Lalor was also determined upon. The indiscretion of Sir Thomas alone procured his safety. Sir Thomas boasted publicly in Clonmel, that within three days he would have a papist of large fortune, a magistrate and a deputy-governor of the county, either flogged, or in jail, or hanged. Sir Thomas's threats were then never in vain.

"Mr. Lalor, on being informed of this threat, applied to the Hon. Francis Hutchinson to accompany him to Sir Thomas, and he acknowledges with gratitude the ready compliance his request met with. They repaired to Clogheen, where Sir Thomas was busily employed flogging, guarded by the Hessians. Mr. Hutchinson told him that Mr. Lalor desired to know, whether there was any charge against him, as if so, he was ready to meet it. Sir Thomas could not imagine any; he declared there was none.

"After this declaration, and from Mr. Lalor's rank in society, some precaution was necessary; accordingly, a representation was made to government that Mr. Lalor was a traitor, and a sanction for his arrest was obtained. Mr. Lalor owes it to Mr. Bagwell that he is alive and untortured.

"Mr. Lalor was then a private in Lord Llandaff's corps of yeoman cavalry; from him he could expect no protection, after seeing Mr. Denis O'Meagher, the very gentleman who proposed Mr. Prittie at the present election, and his aged father, and his aged uncle, and Mr. Smithwick, although he, too, was near eighty years of age, and other gentlemen of fortune and respectability, dragged to jail; amongst them were four yeomen of Lord Llandaff's corps, including Mr. Denis O'Meagher himself. They obtained their discharge by the exertions of the Hon. Francis Hutchinson. Had he not exerted himself, it was quite clear that neither their innocence nor their connection with Lord Llandaff would have saved them. Nay, the present Lord Llandaff attended the committee, at which Sir Thomas and Colonel Deering presided, and which ordered those arrests.

"Fortunately for Mr. Lalor, he did not want the protection of Lord Llandaff, for the threats of Sir Thomas at Clonmel were conveyed to Mr. Bagwell; he perceived at once that they applied to

Mr. Lalor; he knew that one moment was not to be lost; he repaired to the Castle, and there procured a positive order to Sir Thomas not to arrest or meddle with Mr. Lalor. But for this speedy interference Mr. Lalor's fate was certain.

"Will any person tell you, sir, that this was an obligation which ought to be forgotten? Was there an Irish soul so dead to those sentiments of which we are proud, as to be insensible to the friendship which, unsought, protected his friend from torture—death—disgrace?

"Mr. Lalor cannot forget, too, that whilst the Llandaff family protected the sheriff of their appointment, Sir Thomas Judkin Fitzgerald, Mr. Bagwell used every effort to leave him to justice. It is a fact, now part of Irish history, that whilst the first Indemnity Bill was sufficient to cover all the irregular acts of loyalty perpetrated in other parts of Ireland, it was by no means sufficient to protect the loyalists of Tipperary. A second bill was accordingly prepared by the present Lord Norbury, then Attorney-General. It was introduced into the House of Commons, by the present Lord Llandaff, then Lord Mathew, in a speech which is believed to be the only one he ever made in that house. It was most violently and decidedly opposed by Mr. Bagwell, as well as by the Hutchinsons. The 'generous nature of my Lord Castlereagh,' who declared that the administration of Ireland never sanctioned torture—the 'generous nature of my Lord Castlereagh,' induced him to bear down Mr. Bagwell's honest opposition, with all the regular forces of the government, and the act passed, commonly called 'Fitzgerald's Bill,' and remains an eternal monument of shame to our legislative system.

"This subject is, perhaps, dwelt on too long, but the recollection of those scenes was forcibly brought on Mr. Lalor's mind, on the 7th of October, instant, at Thurles, by Captain Gaisson. When Mr. Bagwell applied to that gentleman for his interest at the present election—'It is true,' said Captain Gaisson, 'that you ought to expect my interest, but for one circumstance; you opposed Fitzgerald's Indemnity Bill, without which I should have been ruined; we owe that bill to Lord Llandaff, and his family shall, therefore, have my interest!!!'

"There are a few facts more that are deemed important, towards forming a just estimate of Lalor's conduct. He was well aware, that in private or public life, Mr. Bagwell had never expressed any sentiments of bigotry. In the conversation which he had with Mr.

Bagwell, shortly before he promised his interest at the then next election, Mr. Bagwell, expressed himself in terms so favourable to the Catholic claims, that Mr. Lalor understood he intended to give them his support. So distinctly was this idea infixed on his mind, that he always conceived it as an admittedly implied condition of his promise; and he always spoke of that promise, as founded on the condition of Mr. Bagwell's future support of the Catholic cause in parliament.

"This construction, which Mr. Lalor always did and does contend for was the true construction of his promise, having been conveyed to Mr. Bagwell, he alleged that the promise was absolute, and unqualified, and declared that he must insist on its performance as such. Shortly before the last spring assizes, Mr. Lalor was waited on at the desire of Mr. Bagwell, by Colonel Purefoy, who informed him of Mr. Bagwell's determination, and that Mr. Bagwell would expect to meet Mr. Lalor at the ensuing assizes, and would require of him an explicit avowal, that the promise he had given was without any condition. Mr. Lalor's answer was 'that Mr. Bagwell should never obtain from him any such avowal; and that there was no personal risk which he would not cheerfully run sooner than extend that promise to any one in particular—that in giving it in the way he had done, he followed far enough the impulse of gratitude and private friendship, and that he would certainly not support Mr. Bagwell upon any other terms.'

"Mr. Lalor felt it incumbent on him in consequence of this conversation, to absent himself from the grand jury, on which he had been as usual, called; but he arrived in Clonmel early the second day of the assizes, and having met Mr. Lidwell, he informed him of the attention he had received from Mr. Bagwell, and of his conviction, that a challenge must ensue; he asked Mr. Lidwell to be his friend, but that gentleman declined from motives of delicacy which he stated; and Mr. Lalor resorted to Captain Power of Ballydine, who was so good as to consent to be his friend.

"Thus was Mr. Lalor placed in the disagreeable situation of receiving a message from an old friend and benefactor (for he must call him so), or of giving his interest to an avowed opponent of the Catholic claims. The oft-tried spirit of Mr. Bagwell seemed to leave him no alternative but to risk his life, or desert his cause; he preferred the former, and it is a choice he is always ready to make. It is true, that he was not called on to make any sacrifice—that his friend Mr. Bagwell pledged himself unequivocally in private, to

support the Catholic cause, before he asked the fulfilment of Mr. Lalor's promise, and undertook to repeat that pledge in public.

"Mr. Lalor assuredly is not to blame, if Mr. Bagwell changed his view of the promise made to him by Mr. Lalor, and concurred in the construction put on that promise by Mr. Lalor himself; but after Mr. Bagwell had done so, how, in the nature of things, can it be imagined, that Mr. Lalor could disengage himself from that promise, or violate it in any particular?

"It comes now to be observed, that it is obvious, that if Mr. Bagwell be not returned for the county of Tipperary, the Catholic cause sustains no injury from Mr. Lalor; but if he be, then it will be owing to Mr. Lalor, that the Catholic question obtains two additional supporters, in the persons of Mr. Bagwell, member for the county, and his son, member for the borough of Clonmel. Besides, it is nearly certain, that another of Mr. Bagwell's connection will be returned for a neighbouring borough; in which case a third vote in parliament for the Catholics is ascertained.

"And shall Mr. Lalor be vilified as a traitor to his cause and country, when his friends are thus able, with truth, to declare, that he has influenced three votes in parliament in favour of that cause; nay, should he have influenced only two votes, will any Catholic have a right to reproach him, unless he shall have influenced at least one vote? And where is the Catholic, beside Mr. Lalor, who can boast of having converted one opponent into a friend?

"It remains only to consider whether Mr. Lalor was restrained by the resolution of the Catholics of the county of Tipperary, from voting for Mr. Bagwell. That resolution was the same in principle, if not precisely in words, with the resolution of the aggregate meeting, in Dublin, on the 18th of June last. Both resolutions were framed by the same gentleman, and with the same object.

"When the resolution of the 18th of June was about to be put by Lord Fingal, he observed that he was under a promise already made to give his interest to Lord Bective, a ministerial candidate, for the county of Meath, and that he could not concur in the resolution if it was intended by it to enforce the violation of any promise previously given. His lordship was immediately assured that the resolution could never be construed to require a violation of any previous engagement; that it was not intended as a trap for Catholic fidelity, but was, in its operation, entirely prospective; with this explanation Lord Fingal was perfectly satisfied; he joined in the

resolution—authenticated it by his signature as chairman, and has, nevertheless, continued his support, as he was bound to do, to the ministerial candidate to whom he was previously pledged.

“Such has been precisely the course adopted by Mr. Lalor. The explanation given to Lord Fingal, and the line of conduct pursued by that exalted and revered nobleman, could not lead to disgrace or dishonour. This Mr. Lalor felt and feels, and he rests satisfied that in imitating, at an humble distance, that noble lord, he will not be considered to have forfeited any of his claims upon the esteem of his countrymen.

“And what, after all, is his crime? Why, to have given his interest, in consequence of a previous promise, to an old friend and benefactor—to a man who has already supported Catholic rights; and pledges himself and his son to support them for the residue of their lives—to a man who commenced his career in society by a donation to the Catholics of Clonmel at sixpence by the year—of their chapel ground worth £100 per annum—to a man who voted against the ~~four~~ and abominable measure of an union—to consent to which, many a disgusted Catholic was seduced by Bagwell’s opponent—in short, to a man who has repeatedly obtained the support of the best friends of the Catholics—the illustrious family of the Hutchinsons.

“If, by fidelity to his promise—if, by resisting a junction of powerful families that would fain convert the county of Tipperary in a close borough, if by voting for his friend of many years and the man who rescued him from the horrors of 1798—if to have imitated in one instance the conduct of the Earl of Fingal, and in another that of the Hutchinsons—if, by procuring two certainly, and probably three votes in the next Parliament—if, by all these means, he had forfeited the confidence of Irishmen, he must bow in resignation to their decision, but he cannot avoid complaining of it as unmerited and severe.

“This statement is addressed to you, sir, under the sanction and by the authority of Mr. Lalor, for the facts and the observations contained in it, he considers himself, and will always hold himself, personally responsible; but he wishes it to be added, that he hopes his countrymen will not deem the less favourably of him for his deep anxiety to preserve, as well as to merit, their confidence.

“I am, sir, &c.,

“A SUBSCRIBER.

"In consequence of some assertions contained in the paper Mr. Lalor feels it a duty he owes to himself, to state these two facts :—

"1st. That he offered his second voices, which were disengaged, to General Mathew, if he formed no junction with any other candidate, but left the county to its free choice of both members.

"2ndly. That Mr. Lalor conceived the manner of the General on the hustings, on the first day of election, to have been offensive ; and he, therefore, sent a message to the General, who, however, was pleased to obviate any unpleasant feelings on the subject, by consenting to declare to Mr. Lalor, publicly, that he did not intend any offence, but on the contrary, felt every respect for him. This declaration the General accordingly made."

The following letter was written by Mr. O'Connell, when a law student in London, in 1795, being then but twenty years of age, and addressed to Maurice O'Connell, Esq., Darrynane :—

"Chiswick, near London, December 10, 1795.

"MY DEAR UNCLE,

"I delayed answering your letter of the 17th ult. until I should have it in my power to inform you that I had changed my place of residence, in conformity to your desire.

"On calculating the expenses of retiring to a cheaper spot, and of returning to keep my term in January, I found it would not answer ; so I have dropped the scheme. I am now only four miles from town, yet perfectly retired. I pay the same price for board and lodging as I should in London ; but I enjoy many advantages here, besides air and retirement. The society in the house is mixed, I mean, composed of men and women, all of whom are people of rank and knowledge of the world ; so that their conversation and manners are perfectly well adapted to rub off the rust of scholastic education ; nor is there any danger of riot or dissipation, as they are all advanced in life—another student of law and I being the only young persons in the house. This young man is my most intimate acquaintance, and the only friend I have found amongst my acquaintance. His name is Bennett.* He is an Irish young man of good family connections and fortune. He is prudent, and strictly economical. He has good sense, ability, and application. I knew him before my journey to Ireland. It was before that period our friendship commenced ; so that, on the whole, I spend my time here not only very pleasantly, but, I hope, very usefully.

"The only law books which I have bought as yet are the works of Espinasse, on the trials of Nisi Prius. They cost me £1 10s., and contain more informa-

* The late Richard Newton Bennett, for a time Chief Justice of one of the West India Islands.

tion on the practical part of the law than any other work I have ever met. When in Dublin, I reflected that carrying any more books than were absolutely necessary, would be incurring expense; so I deferred buying a complete set of reports until my return thither.

"I have now two objects to pursue—the one, the attainment of knowledge; the other, the acquisition of all those qualities which constitute the polite gentleman. I am convinced that the former, besides the immediate pleasure which it yields, is calculated to raise me to honours, rank, and fortune; and I know that the latter serves as a general passport or first recommendation; and as for the motives of ambition which you suggest, I assure you that no man can possess more of it than I do. I have, indeed, a glowing, and—if I may use the expression—an enthusiastic ambition, which converts every toil into a pleasure, and every study into an amusement.

"Though nature may have given me subordinate talents, I never will be satisfied with a subordinate situation in my profession. No man is able, I am aware, to supply the total deficiency of abilities, but every body is capable of improving and enlarging a stock, however small, and in its beginning, contemptible. It is this reflection that affords me most consolation. If I do not rise at the bar, I will not have to meet the reproaches of my own conscience. It is not because I assert these things now, that I should conceive myself entitled to call on you to believe them. I refer that conviction which I wish to inspire to your experience. I hope, nay, I flatter myself, that when we meet again, the success of my efforts to correct those bad habits which you pointed out to me will be apparent. Indeed, as for my knowledge in the professional line, that cannot be discovered for some years to come; but I have time in the interim to prepare myself to appear with greater *eclat* on the grand theatre of the world.

"You have heard of the capture of Manheim. The Austrians continue to advance rapidly on the French side of the Rhine. They are said to be marching towards Luxembourg. In the meantime, the French are evacuating Holland. Whether this event will be favourable to the interest of the Stadtholder, is yet uncertain. The ministry, who are become unpopular, owing in particular to the two bills, of which you must have heard, and in general to the ill success of the war, already tottered in their seats; but the brilliant victories of the Austrians have secured them at least for some time. That we shall soon have peace is no longer a question. Every body believes it, and the King's messages to parliament confirm the belief.

"The General desires to be remembered to you. He and his lady are well. I gave him your letter on the day of its arrival. Present my duty to my father and mother, and my love to my brothers and sisters, and other friends.

"I am, dear Uncle,

"Your sincerely affectionate, grateful, and dutiful nephew,

"DANIEL O'CONNELL.

"My direction is at Mrs. Rigby's, Chiswick, near London."

